
STATUTORY RULES OF NORTHERN IRELAND

2005 No. 466

**Students Awards (Amendment)
Regulations (Northern Ireland) 2005**

Amendment of the Principal Regulations

- 5.—(1) Regulation 2 (Interpretation) shall be amended as provided by paragraphs (2) to (9).
- (2) Before the definition of “academic authority” there shall be inserted—
- ““the 2005 Act” means the Education Act 2005(1);”.
- (3) After the definition of “British Islands” there shall be inserted—
- ““category 2 European Student” means a person who is a national of a member state of the European Community—
- (a) who has been ordinarily resident in the British Islands throughout the three year period immediately preceding the start of the relevant designated course;
 - (b) who, where he is a national of the United Kingdom, has a right to be treated no less favourably than a national of another member state by virtue of having exercised a Community right of free movement; and
 - (c) who, in a case where his ordinary residence referred to in sub-paragraph (a) was wholly or mainly for the purpose of receiving full-time education, was ordinarily resident in the European Economic Area immediately prior to the period of ordinary residence referred to in sub-paragraph (a).”.
- (4) For paragraph (a) of the definition of “course of initial teacher training” there shall be substituted—
- “(a) a full-time course for the initial teacher training of teachers (other than a course for the degree of Bachelor of Education) provided—
- (aa) by a publicly funded institution; or
 - (bb) where a private institution is a training provider within the meaning of section 78 of the 2005 Act or an eligible institution within the meaning of section 86 of the 2005 Act, by a public institution in conjunction with such a private institution; or
 - (cc) by a private institution of the type referred to in sub-paragraph (bb);”.
- (5) For the definition of “European student” there shall be substituted—
- ““European student” means a person who is a national of a member state of the European Community or the child of such a national—
- (a) who has not been ordinarily resident in the British Islands as described in regulation 6(1), whose residence in the British Islands has been wholly or mainly for the purposes of receiving full-time education as described in regulation 6(2) or who is not settled in the United Kingdom as described in paragraph 2(a) of Schedule 1; and
 - (b) who is not a category 2 European student;”.

(6) In the definition of “institution” for “Part I of the Education Act 1994” there shall be substituted “Part 3 of the 2005 Act”.

(7) In the definition of “new academic term” for “2004” there shall be substituted “2005”.

(8) For the definition of “new payment” there shall be substituted—

““new payment” means a payment made under these Regulations as amended by the Students Awards (Amendment) Regulations (Northern Ireland) 2004 and the Students Awards (Amendment) Regulations (Northern Ireland) 2005;”.

(9) For the definition of “old payment” there shall be substituted—

““old payment” means a payment which would have been made under these Regulations, as amended by the Students Awards (Amendment) Regulations (Northern Ireland) 2004, if they had not been amended by the Students Awards (Amendment) Regulations (Northern Ireland) 2005;”.