
STATUTORY RULES OF NORTHERN IRELAND

2021 No. 202

**The Further Education (Student Support)
(Eligibility) (Amendment etc.) (EU Exit)
Regulations (Northern Ireland) 2021**

Amendment of paragraph 4

8.—(1) For the paragraph heading “Persons with leave to enter or remain and their family members”, substitute “Persons with leave to enter or remain on the grounds of discretionary leave and their family members”.

(2) For paragraph 4 substitute—

“**4.—(1)** A person granted leave to enter or remain on the grounds of discretionary leave who is ordinarily resident in the United Kingdom on the first day of the first academic year of the course.

(2) A person—

- (a) who is the spouse or civil partner of a person with leave to enter or remain on the grounds of discretionary leave;
- (b) who was the spouse or civil partner of the person with leave to enter or remain on the grounds of discretionary leave on the leave application date;
- (c) who is ordinarily resident in the United Kingdom and Islands and has not ceased to be so resident since being given leave to enter or remain in the United Kingdom; and
- (d) who is ordinarily resident in the United Kingdom on the first day of the first academic year of the course.

(3) A person—

- (a) who is the child of a person with leave to enter or remain on the grounds of discretionary leave or the child of the spouse or civil partner of a person with leave to enter or remain on the grounds of discretionary leave,
- (b) who, on the leave application date, was under 18 and was the child of the person with leave to enter or remain on the grounds of discretionary leave or the child of a person who was the spouse or civil partner of the person with leave to enter or remain on the grounds of discretionary leave on that date;
- (c) who is ordinarily resident in the United Kingdom and Islands and has not ceased to be so resident since being given leave to enter or remain in the United Kingdom; and
- (d) who is ordinarily resident in Northern Ireland on the first day of the first academic year of the course.

(4) In this paragraph, “leave application date” means the date on which the person with leave to enter or remain on the grounds of discretionary leave made the application that led

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

to that person being granted leave to enter or remain on the grounds of discretionary leave in the United Kingdom.”.