
STATUTORY RULES OF NORTHERN IRELAND

2022 No. 183

**The Further Education (Student Support) (Eligibility)
(Amendment etc.) Regulations (Northern Ireland) 2022**

PART 2

**Amendment of the Schedule to the Further Education (Student
Support) (Eligibility) Regulations (Northern Ireland) 2012**

CHAPTER 1

Citizens' Rights Amendments

- 2.** In paragraph 1(1) (interpretation)—
- (1) omit the definition of “grace period”;
 - (2) in the definition of “person with protected rights”(1)—
 - (a) re-number the existing text after “means—” as sub-paragraph (1) of the definition;
 - (b) in that sub-paragraph as so numbered, omit head (a)(iii);
 - (c) after head (a)(iv) insert—

“(v) otherwise has rights deemed to apply by virtue of any citizens’ rights deeming provisions; or”,
 - (d) after sub-paragraph (1), insert—

“(2) In sub-paragraph (1)(a)(v) “citizens’ rights deeming provisions” means—

 - (a) Article 18(2) and (3) (issuance of residence documents) of the EU withdrawal agreement;
 - (b) Article 17(2) and (3) (issuance of residence documents) of the EEA EFTA separation agreement (as defined in section 39(1) of the European Union (Withdrawal Agreement) Act 2020); or
 - (c) Article 16(2) and (3) (issuance of residence documents) of the Swiss citizens’ rights agreement.”.
- 3.** In paragraph 2A, for “the first day of the first academic year of the course”, in each case substitute “the day on which the first term of the first academic year actually begins”.
- 4.** In paragraph 2B(1)(a)(iv)—
- (i) in paragraph (bb), after “Regulations” insert “or otherwise has rights deemed to apply by virtue of any of the citizens’ rights provisions specified in sub-paragraph (3)”,

- (ii) in paragraph (cc), after “relevant period” insert “or otherwise has a deemed right of permanent residence by virtue of any of the citizens’ rights provisions specified in paragraph (3)”,
- (iii) after sub-paragraph (2) insert—
 - “(3) For the purposes of sub-paragraph (1)(a)(iv), the citizens’ rights provisions referred to are—
 - (a) Article 18(3) (issuance of residence documents) of the EU withdrawal agreement;
 - (b) Article 17(3) (issuance of residence documents) of the EEA EFTA separation agreement (as defined in section 39(1) of the European Union (Withdrawal Agreement) Act 2020); or
 - (c) Article 16(3) (issuance of residence documents) of the Swiss citizens’ rights agreement.”.

5. In paragraph 6C(1)(2)—

- (i) omit the terminal “and” in sub-paragraph (c);
- (ii) omit the “.” at the end of sub-paragraph (d) and insert “; and”.