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STATUTORY RULES OF NORTHERN IRELAND

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**2022 No. 201**

**The Education (Student Support, etc.) (Amendment)  
(No.2) Regulations (Northern Ireland) 2022**

**PART 2**

**CHAPTER 1**

**Evacuated or assisted British nationals from Afghanistan**

**Amendments to the 2009 Regulations**

3. In regulation 5(2)(a)(1) (eligible students), for “and 14” substitute “, 14, 15 and 16”.
4. In regulation 105(2)(a)(2) (eligible distance learning students), for “and 14” substitute “, 14, 15 and 16”.
5. In regulation 122(2)(a)(3) (eligible part-time students), for “and 14” substitute “, 14, 15 and 16”.
6. In regulation 139(3)(a)(i)(4) (eligible postgraduate students), for “and 14” substitute “, 14, 15 and 16”.
7. In regulation 149 (2)(a)(5) (eligible master’s, etc. students), for “and 14” substitute “, 14, 15 and 16”.
8. In Schedule 2 (eligible students)—
  - (a) in paragraph 1(1), after the definition of “European Economic Area”, insert—

““evacuated or assisted British national from Afghanistan” means a person—

    - (a) who is a British citizen, a British overseas territories citizen, a British National (Overseas), a British Overseas citizen, a British subject under the British Nationality Act 1981 or a British protected person within the meaning of that Act;
    - (b) who was either—
      - (i) evacuated from Afghanistan by or on behalf of the United Kingdom, a North Atlantic Treaty Organisation member state, Pakistan, Uzbekistan, Tajikistan, Iran or Qatar during the period of the operation known as Operation Pitting, which began on 14th August 2021 and ended on 28th August 2021; or

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(1) Regulation 5 was amended by [S.S.I. 2007/503](#), S.R.s 2010 No. 383, 2013 No. 128, 2017 No. 7, 2019 No. 35 and 2021 Nos. 50 and 85.

(2) Regulation 105 was amended by [S.S.I. 2007/503](#), S.R.s 2010 No. 383, 2013 No. 128, 2021 Nos. 50 and 85 and 2022 No 75.

(3) Regulation 122 was amended by S.R.s 2010 No. 383, 2017 No. 7, 2019 No. 35, 2021 Nos. 50 and 85 and 2022 No 75.

(4) Regulation 139 was amended by S.R.s 2013 No. 223, 2017 No. 7, 2019 Nos. 35 and 102, 2021 Nos. 50 and 85 and 2022 No. 75.

(5) Regulation 149 was amended by S.R.s 2017 No. 7, 2018 No. 35, 2020 No. 79, 2021 Nos. 50 and 85 and 2022 No 75.

*Status: Point in time view as at 01/09/2022.*

*Changes to legislation: There are currently no known outstanding effects for the The Education (Student Support, etc.) (Amendment) (No.2) Regulations (Northern Ireland) 2022, CHAPTER 1. (See end of Document for details)*

- (ii) assisted by or on behalf of the United Kingdom, after 28th August 2021 and before 6th January 2022, to leave Afghanistan; and
- (c) who has been ordinarily resident in the United Kingdom and Islands since they were evacuated from or otherwise left Afghanistan;”;
- (b) after paragraph 14(6), insert—

**“Evacuated or assisted British nationals from Afghanistan**

**15.** An evacuated or assisted British national from Afghanistan who is ordinarily resident in Northern Ireland on the first day of the first academic year of the course.”.

**Commencement Information**

- I1** Reg. 3 in operation at 1.9.2022, see [reg. 1\(2\)](#)
- I2** Reg. 4 in operation at 1.9.2022, see [reg. 1\(2\)](#)
- I3** Reg. 5 in operation at 1.9.2022, see [reg. 1\(2\)](#)
- I4** Reg. 6 in operation at 1.9.2022, see [reg. 1\(2\)](#)
- I5** Reg. 7 in operation at 1.9.2022, see [reg. 1\(2\)](#)
- I6** Reg. 8 in operation at 1.9.2022, see [reg. 1\(2\)](#)

**Amendments to the 2007 Regulations**

- 9.** In regulation 5 (prescribed description of a qualifying person)—
  - (a) in paragraph (1)(c)(7), after “4G,” insert “4H,”;
  - (b) in paragraph (1A)(a)(8), after “4G,” insert “4H,”;
- 10.** In the Schedule—
  - (a) in paragraph 1(1), after the definition of “European Economic Area”, insert—
    - ““evacuated or assisted British national from Afghanistan” means a person—
    - (a) who is a British citizen, a British overseas territories citizen, a British National (Overseas), a British Overseas citizen, a British subject under the British Nationality Act 1981 or a British protected person within the meaning of that Act;
    - (b) who was either—
      - (i) evacuated from Afghanistan by or on behalf of the United Kingdom, a North Atlantic Treaty Organisation member state, Pakistan, Uzbekistan, Tajikistan, Iran or Qatar during the period of the operation known as Operation Pitting, which began on 14th August 2021 and ended on 28th August 2021; or
      - (ii) assisted by or on behalf of the United Kingdom, after 28th August 2021 and before 6th January 2022, to leave Afghanistan; and
    - (c) who has been ordinarily resident in the United Kingdom and Islands since they were evacuated from or otherwise left Afghanistan;”;
  - (b) after paragraph 4G(9), insert—

(6) Paragraph 14 was inserted by [S.R. 2022 No 75](#).

(7) Regulation 5 was amended by [S.R.s 2011 No. 376](#), [2021 No. 85](#) and [2022 No 75](#).

(8) Regulation 5(1A) was inserted by [S.R. 2021 No. 85](#) and amended by [S.R. 2022 No. 75](#).

(9) Paragraph 4G was inserted by [S.R. 2022 No.75](#).

**“Evacuated or assisted British nationals from Afghanistan**

**4H.** An evacuated or assisted British national from Afghanistan who is ordinarily resident in the United Kingdom on the first day of the first academic year of the course.”.

**Commencement Information**

- I7** Reg. 9 in operation at 1.9.2022, see [reg. 1\(2\)](#)
- I8** Reg. 10 in operation at 1.9.2022, see [reg. 1\(2\)](#)

**Status:**

Point in time view as at 01/09/2022.

**Changes to legislation:**

There are currently no known outstanding effects for the The Education (Student Support, etc.) (Amendment) (No.2) Regulations (Northern Ireland) 2022, CHAPTER 1.