
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend legislation which makes provision about, or in connection with, student finance. Two sets of Student Support Regulations are amended. Those Regulations are the Education (Student Support) (No. 2) Regulations (Northern Ireland) 2009 “the 2009 Regulations” and the Student Fees (Qualifying Courses and Persons) Regulations (Northern Ireland) 2007 “the 2007 Regulations”.

The amendments made by regulations 3 to 12 remove redundant references to Old System Students and College Fee Loans.

The amendments made by regulations 13 to 17 clarify the Department’s position in the Regulations in relation to certain graduate entry courses, social work, medicine and dentistry and veterinary surgery to ensure students accessing all these courses at graduate entry level can receive the same support as those studying the full undergraduate course as a second degree.

The amendments made by regulations 18 to 24 provide that from academic year 2022/23 the regulated maximum disabled students’ allowance support available to all new and continuing eligible students will be a single maximum allowance for each academic year. This will align undergraduate and postgraduate disabled students’ allowance support by:

- introducing one single capped maximum disabled students’ allowance for all eligible undergraduate and postgraduate students, replacing the existing separate undergraduate maximum allowances for each individual needs category,
- removing the pro-rating of maximum disabled student’ allowance support available for part-time undergraduate students, and
- introducing an exception to the maximum allowance for travel expenditure for postgraduate disabled students’ allowance recipients.

The maximum amount of disabled students’ allowance support available to all undergraduate and postgraduate students in academic year 2022/23 is £25,000 (unless the travel costs exception applies).

From academic year 2022/23, undergraduate and postgraduate students who become eligible after the start of the academic year under the regulatory events provisions, will qualify for full disabled students’ allowance support from the date on which they become an eligible student.

The amendments made by regulations 25 to 32 remove the grace period provisions as the grace period has now ended for the EU Settlement Scheme (EUSS) and further ensure that the Regulations fully reflect the requirements of the EU Withdrawal Agreement (and the EEA EFTA Separation Agreement and Swiss Citizens’ Rights Agreement) as they relate to the rights of those making late applications to the EUSS and to joining family members who have yet to apply to the EUSS and are still within the deadline for doing so.

Regulation 31(c) has the effect that persons who come to Northern Ireland from the Isle of Man and the Channel Islands for the purpose of study are not eligible for student support.

Regulations 33 to 55 amend the 2009 Regulations and the 2007 Regulations respectively so that persons granted leave under one of the Afghan Schemes (the Afghan Citizens’ Resettlement Scheme or the Afghan Relocations and Assistance Policy Scheme) and their spouse, civil partner or dependent child may qualify for support under each of those rules.

Regulations 56 and 60 omit a redundant definition and correct an error respectively.

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

Regulation 58 amends Schedule 6 to the 2009 Regulations (Relevant Institutions of Higher Education in the Republic of Ireland) to omit “Carlow College (St. Patrick’s)”, “Institute of Technology, Athlone”, “Institute of Technology, Limerick”, “Royal College of Surgeons in Ireland” and “Pontifical University of Maynooth”. Courses under these providers will continue to be designated, where appropriate, specifically. It also inserts “Technological University of the Shannon: Midlands and Midwest”.

Regulation 61 clarifies that Irish Citizens are not required to have been resident in the United Kingdom by IP completion day in relation to certain paragraphs.

Regulations 57 and 62 clarify that a student eligible under the long residence provisions should be ordinarily resident in Northern Ireland on the first day of the first academic year of their course.

New payment rates (regulation 59 and the Schedule)

The 2009 Regulations are amended to update the payment rates for student support for an academic year which begins on or after 1st August 2022 (regulation 59 and the Schedule).

An impact assessment has not been produced for this rule as no, or no significant impact on the private, voluntary or public sectors is foreseen.