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STATUTORY RULES OF NORTHERN IRELAND

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**2024 No. 19**

**EDUCATION**

**The Education (Student Support, etc.)  
(Amendment) Regulations (Northern Ireland) 2024**

*Made* - - - - *2nd February 2024*

*Coming into operation-* *26th February 2024*

The Department for the Economy<sup>(1)</sup> in exercise of the powers conferred by Articles 3 and 8(4) of the Education (Student Support) (Northern Ireland) Order 1998<sup>(2)</sup> and Articles 4(8) and 14(4) of the Higher Education (Northern Ireland) Order 2005<sup>(3)</sup> makes the following Regulations.

In accordance with Article 4(11)(a)(i) and (b)(i) of the Higher Education (Northern Ireland) Order 2005 the Department is satisfied that the increases to the basic and higher amounts are no greater than are required to maintain the value of those amounts in real terms.

**PART 1** **N.I.**

**Introductory** **N.I.**

**Citation, commencement and application** **N.I.**

1.—(1) These Regulations may be cited as The Education (Student Support, etc.) (Amendment) Regulations (Northern Ireland) 2024.

(2) These Regulations come into operation on 26th February 2024.

(3) The provisions of these Regulations specified in paragraph (4) apply only in relation to the provision of support, and to fees and awards applicable, in relation to a new academic year, whether or not anything done under these Regulations is done before, on or after 1st August 2024.

(4) The provisions mentioned in paragraph (3) are—

(a) regulations 3 and 4;

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(1) Formerly the Department for Employment and Learning; see Article 6(1)(c) of the Departments (Transfer of Functions) Order (Northern Ireland) 2016 (S.R. 2016 No. 76).

(2) S.I. 1998/1760 (N.I. 14). Article 3 was amended by the Learning and Skills Act 2000 (c.21), section 147(3)(a) and (b), the Student Loans (Amendment) Act (Northern Ireland) 2011, (c.2 (N.I.)), s.1(1), the Income Tax (Earnings and Pensions) Act 2003 (c.1), Schedule 6, the Finance Act 2003, (c.14), s.147(4), the Higher Education (Northern Ireland) Order 2005, (S.I. 2005/1116 (N.I. 5)), Articles 11 and 12 and the Schedule, and by the Financial Services and Markets Act 2000 (Regulated Activities) (Amendment) (No.2) Order 2013, (S.I. 2013/1881), Schedule 1

(3) S.I. 2005/1116 see Article 2(2) for definitions of “the Department”, “prescribed” and “regulations”.

**Status:** Point in time view as at 26/02/2024.

**Changes to legislation:** There are currently no known outstanding effects for the The Education (Student Support, etc.) (Amendment) Regulations (Northern Ireland) 2024. (See end of Document for details)

- (b) regulations 23(b), 24(b), 25(b), 26(b), 27(b), 28(b), 29(b) and 30(3)(b) (amendments relating to family members of persons granted leave under one of the Ukraine Schemes);
  - (c) regulations 31 to 59 (amendments relating to ordinary residence requirements for existing protected categories or to in-year events);
  - (d) regulation 72 and the Schedule (new payment rates: student support).
- (5) The provisions of these Regulations specified in paragraph (6) apply only in relation to the provision of support in relation to—
- (a) a new course, or
  - (b) a new academic year of an existing course,
- whether or not anything done under these Regulation is done before, on or after 1st August 2024.
- (6) The provisions mentioned in paragraph (5) are regulations 22, 23(a), 24(a), 25(a), 26(a), 27(a), 28(a), 29(a) and 30(2) and (3)(a) (amendments relating to family members of persons granted leave under one of the Afghan Schemes).
- (7) The following provisions of these Regulations apply in relation to the provision of support to a student, and to fees and awards applicable, in relation to a new course, whether or not anything done under these Regulations is done before, on or after 1st August 2024—
- (a) regulations 8 and 9 (amendments to Master’s etc. courses in the Republic of Ireland);
  - (b) regulation 60 and 61.
- (8) In this regulation—
- “existing course” means a course which begins—
- (a) on or after 1st August 2023, and
  - (b) on or before 31st July 2024;
- “new course” means a course which begins on or after 1st August 2024.
- (9) This regulation is subject to Chapter 14 (savings).
- (10) In these Regulations “new academic year” means an academic year which begins on or after 1st August 2024.
- (11) In paragraph (10) an “academic year” is the period of twelve months beginning with 1st January, 1st April, 1st July or 1st September of the calendar year in which the academic year of the course in question begins, according to whether the academic year of the course in question begins—
- (a) on or after 1st January and before 1st April;
  - (b) on or after 1st April and before 1st July;
  - (c) on or after 1st July and before 1st August; or
  - (d) on or after 1st August and on or before 31st December.

#### Commencement Information

II Reg. 1 in operation at 26.2.2024, see [reg. 1\(2\)](#)

#### Interpretation **N.I.**

2. In these Regulations —

- (a) “the 2009 Regulations” means the Education (Student Support) (No.2) Regulations (Northern Ireland) 2009(4).
- (b) “the 2007 Regulations” means The Student Fees (Qualifying Courses and Persons) Regulations (Northern Ireland) 2007(5).
- (c) “the 2005 Regulations” means The Student Fees (Amounts) Regulations (Northern Ireland) 2005 (6)

#### Commencement Information

I2 Reg. 2 in operation at 26.2.2024, see [reg. 1\(2\)](#)

## PART 2 **N.I.**

### CHAPTER 1 **N.I.**

#### Amendment of the Student Fees (Amounts) Regulations (Northern Ireland) 2005

#### Amendment to the 2005 Regulations **N.I.**

- 3. In regulation 3 (prescribed basic and higher amounts)—
  - (a) for “£1,855” substitute “£1,870”; and
  - (b) for “£4,710” substitute “£4,750”.
- 4. In regulation 4 (prescribed basic and higher amounts for specified courses)—
  - (a) for “£905” substitute “£910”; and
  - (b) for “£2,340” substitute “£2,360”.

#### Commencement Information

I3 Reg. 3 in operation at 26.2.2024 with application in accordance with reg. 1(3)(4)(a)

I4 Reg. 4 in operation at 26.2.2024 with application in accordance with reg. 1(3)(4)(a)

### CHAPTER 2 **N.I.**

#### Amendment to Disabled Students’ Allowance

#### Amendment to the 2009 Regulations **N.I.**

- 5. In regulation 117 (conversion of status – eligible students transferring to designated distance learning courses)(7)—
  - (a) omit paragraph (2)(b).
  - (b) in paragraph (2)(c) omit “(or, where sub-paragraph (b) applies, further reduced)”.

- (4) [S.R. 2009 No. 373](#), amended by [S.R.s 2010 No. 383](#), 2012 Nos. [62](#) and [398](#), 2013 Nos. [128](#) and [223](#), 2014 Nos. [97](#) and [309](#), 2016 No. [21](#), 2017 Nos. [7](#) and [43](#), 2018 No. [35](#), 2019 Nos. [35](#) and [102](#), 2020 No. [79](#), 2021 Nos. [50](#), [85](#) and [260](#) and 2022 No [75](#) and [201](#) and [263](#).
- (5) [S.R. 2007 No. 328](#) was amended by Order 2011/1043. [S.R.s 2007 No. 375](#), 2011 Nos. [70](#) and [376](#), 2013 No. [37](#), 2019 No. [35](#), 2020 No. [79](#), 2021 Nos. [50](#), [85](#) and [260](#) and 2022 No [75](#) and [201](#) and [263](#).
- (6) [S.R. 2005 No. 290](#) as amended by [S.R. 2006 No. 455](#), [S.R. 2007 No. 442](#), [S.R. 2008 No. 455](#), [S.R. 2009 No. 400](#), [S.R. 2011 Nos. 1](#) and [369](#), [S.R. 2012 No. 184](#), [S.R. 2013 No. 120](#), [S.R. 2014 No. 116](#), [S.R. 2015 No. 243](#), [S.R. 2016 No. 354](#), [S.R. 2017 No. 104](#), [S.R. 2018 No. 105](#), [S.R. 2019 No. 102](#), [S.R. 2020 No. 98](#) and [S.R. 2022 No. 260](#).
- (7) Regulation 117 was amended by [S.R. 2017 No. 7](#) and [S.R. 2022 No. 263](#).

**Status:** Point in time view as at 26/02/2024.

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6. In regulation 118(conversion of status – eligible distance learning students transferring to designated courses)(8)—
- (a) in paragraph (2)(c) after “or 6” insert “(other than an amount of disabled students’ allowance)”;
  - (b) in paragraph (2)(d) omit “(or, where sub-paragraph (c) applies, further reduced)”.
7. In regulation 135(9) (conversion of status)—
- (a) omit paragraph (3)(b);
  - (b) in paragraph (3)(c) omit “(or, where sub-paragraph (b) applies, further reduced)”.
  - (c) in paragraph (12)(c) after “or 6” insert “(other than an amount of disabled students’ allowance)”.
  - (d) in paragraph (12)(d) omit “(or, where sub-paragraph (c) applies, further reduced)”.

#### Commencement Information

- I5** Reg. 5 in operation at 26.2.2024, see [reg. 1\(2\)](#)  
**I6** Reg. 6 in operation at 26.2.2024, see [reg. 1\(2\)](#)  
**I7** Reg. 7 in operation at 26.2.2024, see [reg. 1\(2\)](#)

## CHAPTER 3 **N.I.**

### Amendments to Master’s, etc. Courses in the Republic of Ireland

#### Amendments to the 2009 Regulations **N.I.**

8. In regulation 141(designated postgraduate courses) (10) after paragraph (1)(c)(vi) insert—
- “(vii) provided by a relevant institution of higher education in the Republic of Ireland or by a relevant institution of higher education in the Republic of Ireland in conjunction with an institution outside of the Republic of Ireland;”
9. In regulation 152 (designated Master’s, etc. courses) (11)—
- (a) in paragraph (1)—
    - (i) after sub-paragraph (c)(vi) insert—
 

“(vii) provided by a relevant institution of higher education in the Republic of Ireland or by a relevant institution of higher education in the Republic of Ireland in conjunction with an institution outside of the Republic of Ireland;”
    - (ii) in sub-paragraph (d) after “United Kingdom” insert “or the Republic of Ireland”.
  - (b) in paragraph (3)(e) after “United Kingdom” each time it appears insert “or the Republic of Ireland”.

#### Commencement Information

- I8** Reg. 8 in operation at 26.2.2024 with application in accordance with reg. 1(7)(a)  
**I9** Reg. 9 in operation at 26.2.2024 with application in accordance with reg. 1(7)(a)

(8) Regulation 118 was amended by [S.R. 2017 No. 7](#).

(9) Regulation 135 was amended by [S.R. 2017 No. 7](#) and [S.R. 2022 No. 263](#).

(10) Regulations 141 was amended by [S.R. 2013 No. 223](#) [S.R. 2017 No. 7](#) and [S.R.s 2019 No. 102](#) and [1998 \(c.30\)](#)

(11) Regulations 152 was inserted by [S.R. 2017 No. 7](#) and subsequently amended by [S.R.s 2019 No. 102](#) and [2020 No. 79](#).

## CHAPTER 4 **N.I.**

### Omission of Qualifying Course and Student References

#### Amendments to the 2009 Regulations **N.I.**

- 10.** In regulation 2(1) (interpretation)(**12**) omit the definition of “qualifying course”.
- 11.** In regulation 5(eligible students) (**13**)—
- (a) in paragraph (11)—
    - (i) at the end of sub-paragraph (a)(i), for “or” substitute “and”;
    - (ii) omit sub-paragraph (a)(ii) (including “and” at the end);
    - (iii) in the words after sub-paragraph (b), for “eligible or qualifying student” substitute “eligible student”;
  - (b) in paragraph (11C)—
    - (i) at the end of sub-paragraph (a)(i), for “or” substitute “and”;
    - (ii) omit sub-paragraph (a)(ii) (including “and” at the end);
    - (iii) in the words after sub-paragraph (b), for “eligible or qualifying student” substitute “eligible student”;
  - (c) in paragraph (11D) in the words after sub-paragraph (b), for “eligible or qualifying student” substitute “eligible student”;
  - (d) in paragraph (11E)—
    - (i) at the end of sub-paragraph (a)(i), for “or” substitute “and”;
    - (ii) omit sub-paragraph (a)(ii) (including “and” at the end);
    - (iii) in the words after sub-paragraph (b), for “eligible or qualifying student” substitute “eligible student”;
  - (e) in paragraph (11F)—
    - (i) at the end of sub-paragraph (a)(i), for “or” substitute “and”;
    - (ii) omit sub-paragraph (a)(ii) (including “and” at the end);
    - (iii) in the words after sub-paragraph (b), for “eligible or qualifying student” substitute “eligible student”;
  - (f) in paragraph (12)—
    - (i) at the end of sub-paragraph (a)(i), for “or” substitute “and”;
    - (ii) omit sub-paragraph (a)(ii) (including “and” at the end);
    - (iii) in the words after sub-paragraph (b), for “eligible or qualifying student” substitute “eligible student”;
  - (g) in paragraph (13) for “, an eligible student or a qualifying student” substitute “or an eligible student”.
- 12.** In regulation 57(4) (qualifying conditions for the maintenance grant) (**14**) for “qualifying student” substitute “current system student”.
- 13.** In regulation 97 (provision of United Kingdom national insurance number)—

(12) Regulation 2 was amended by [S.R. 2010 No. 383](#), [S.R.s 2013 No.s 128 and 223](#), [S.R.s 2017 No.s 7 and 43](#), [S.R. 2019 No. 35](#), [S.R. 2021 Nos. 50 and 85](#), [S.R.s 2022 No.s 75 and 201](#) and [S.I. 2020/1209](#) as amended by [2020/139](#).

(13) Regulation 5 was amended by [S.I. 2007 No. 503](#), [S.R.s 2010 No. 383](#), [2013 No. 128](#), [2017 No. 7](#), [2019 No. 35](#), [2021 Nos. 50 and 85](#) and [2022 No. 75](#).

(14) paragraph (4) was inserted by [S.R. 2012 No. 398](#).

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- (a) in paragraph (1), for “eligible or qualifying student” substitute “eligible student”;
- (b) in paragraph (2), for “eligible or qualifying student” substitute “eligible student”;
- (c) in paragraph (3), for “eligible or qualifying student”, in both places it occurs, substitute “eligible student”.

**14.** In regulation 98 (information requirements)—

- (a) in paragraph (1), for “, eligible student or qualifying student” substitute “or eligible student”;
- (b) in paragraph (2), for “, eligible student or qualifying student” substitute “or eligible student”;
- (c) in paragraph (3), for “, eligible student or qualifying student” substitute “or eligible student”.

**15.** In regulation 105(eligible distance learning students) **(15)**

- (a) in paragraph (11C) in the words after sub-paragraph (b), for “eligible or qualifying student” substitute “eligible student”;
- (b) in paragraph (11D) in the words after sub-paragraph (b), for “eligible or qualifying student” substitute “eligible student”.

**Commencement Information**

- I10** Reg. 10 in operation at 26.2.2024, see [reg. 1\(2\)](#)
- I11** Reg. 11 in operation at 26.2.2024, see [reg. 1\(2\)](#)
- I12** Reg. 12 in operation at 26.2.2024, see [reg. 1\(2\)](#)
- I13** Reg. 13 in operation at 26.2.2024, see [reg. 1\(2\)](#)
- I14** Reg. 14 in operation at 26.2.2024, see [reg. 1\(2\)](#)
- I15** Reg. 15 in operation at 26.2.2024, see [reg. 1\(2\)](#)

CHAPTER 5 **N.I.**

Delivery of Provision

**Amendments to the 2009 Regulations** **N.I.**

**16.** In regulation 6 (designated courses)**(16)**—

- (a) in paragraph (1)—
  - (i) in sub-paragraph (d)(ii) omit “and” where it occurs;
  - (ii) in sub-paragraph (e)(x) for “.” insert “; and”;
  - (iii) after sub-paragraph (e)**(17)** insert —
    - “(f) substantially provided in the United Kingdom or the Republic of Ireland.”;
- (b) in paragraph (5)(b) after “United Kingdom” insert “or the Republic of Ireland”;
- (c) after paragraph (6)(d)**(18)** insert—

**(15)** Regulation 105 was amended by [S.S.I. 2007 No. 503](#), [S.R.s 2010 No. 383](#), [2019 No. 35](#), [2021 Nos. 50](#) and [85](#) and [2022 Nos. 75](#) and [201](#).

**(16)** Regulation 6 was amended by [S.R. 2013 No. 223](#), [S.R. 2019 No. 102](#), [S.R. 2020 No. 79](#) and [S.R. 2022 No. 75](#).

**(17)** sub-paragraph (e) was substituted by [S.R. 2019 No. 102](#).

**(18)** sub-paragraph (d) was amended by [S.Rs 2013 No. 223](#), [2019 No. 35](#) and [2019 No. 102](#).

“(e) a course is substantially provided in the United Kingdom or the Republic of Ireland where at least half of the teaching and supervision which comprise the course is provided in the United Kingdom or the Republic of Ireland.”

17. In regulation 109 (4A) (support for distance learning courses) (19) after “United Kingdom” insert “or the Republic of Ireland”.

18. In regulation 141(1)(d) (designated postgraduate courses) after sub-paragraph (d)(20) insert—

“(e) substantially provided in the United Kingdom or the Republic of Ireland.”.

#### Commencement Information

I16 Reg. 16 in operation at 26.2.2024, see [reg. 1\(2\)](#)

I17 Reg. 17 in operation at 26.2.2024, see [reg. 1\(2\)](#)

I18 Reg. 18 in operation at 26.2.2024, see [reg. 1\(2\)](#)

## CHAPTER 6 **N.I.**

### Amendments Relating to Immigration Rules

#### Amendments to the 2009 Regulations **N.I.**

19. In regulation 2(1) (interpretation) (as amended by regulation 10 of these regulations)—

(a) after the definition of “household income”, insert—

““immigration rules” has the meaning given in section 33(1) of the Immigration Act 1971(21);”;

(b) in the definition of “person granted Calais leave”, in paragraph (a) omit “, as defined in section 33(1) of the Immigration Act 1971”;

(c) in the definition of “person granted humanitarian protection”, in paragraph (a) omit “as defined in section 33(1) of the Immigration Act 1971”;

(d) in the definition of “person granted indefinite leave to remain as a bereaved partner”, in paragraph (a) omit “, as defined in section 33(1) of the Immigration Act 1971”;

(e) in the definition of “person granted indefinite leave to remain as a victim of domestic violence or domestic abuse”, in paragraph (a) omit “, as defined in section 33(1) of the Immigration Act 1971”;

(f) in the definition of “person granted leave under the Afghan Citizens Resettlement Scheme”, in paragraph (a)(i) for “Immigration Rules as defined in section 33(1) of the Immigration Act 1971” substitute “immigration rules”;

(g) in the definition of “person granted leave under the Afghan Relocations and Assistance Policy Scheme”, in paragraph (a)(i)—

(i) for “Immigration Rules”, in the first place it appears, substitute “immigration rules”;

(ii) for “Immigration Rules as defined in section 33(1) of the Immigration Act 1971” substitute “immigration rules”;

(h) in the definition of “person granted leave under the Homes for Ukraine Sponsorship Scheme”—

(19) paragraph (4A) was inserted by S.R. 2012 No.398.

(20) sub-paragraph (e) was substituted by S.R. 2019 No. 102.

(21) 1971 c. 77.

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- (i) in paragraph (a)(i), for “Immigration Rules as defined in section 33(1) of the Immigration Act 1971” substitute “immigration rules”;
  - (ii) in paragraph (a)(ii), for “Immigration Rules as defined in section 33(1) of the Immigration Act 1971” substitute “immigration rules”;
  - (i) in the definition of “person granted leave under the Ukraine Extension Scheme”, in paragraph (a), for “Immigration Rules as defined in section 33(1) of the Immigration Act 1971” substitute “immigration rules”;
  - (j) in the definition of “person granted leave under the Ukraine Family Scheme”—
    - (i) in paragraph (a)(i), for “Immigration Rules as defined in section 33(1) of the Immigration Act 1971” substitute “immigration rules”;
    - (ii) in paragraph (a)(ii), for “Immigration Rules as defined in section 33(1) of the Immigration Act 1971” substitute “immigration rules”;
  - (k) in the definition of “person granted stateless leave”, in paragraph (a) omit “(within the meaning given in section 33(1) of the Immigration Act 1971)”.
- 20.** In Schedule 2 Part 2 (categories)—
- (a) in paragraph (3)(2) omit “(as defined in section 33(1) of the Immigration Act 1971)”;
  - (b) in paragraph 4F(4) (persons granted stateless leave and their family members) omit “(within the meaning given in section 33(1) of the Immigration Act 1971)”.

#### Commencement Information

**I19** Reg. 19 in operation at 26.2.2024, see [reg. 1\(2\)](#)

**I20** Reg. 20 in operation at 26.2.2024, see [reg. 1\(2\)](#)

#### Amendments to the 2007 Regulations **N.I.**

- 21.—**(1) The Schedule (Qualifying Persons)(**22**) is amended as follows—
- (2) in paragraph (1)—
- (a) after the definition of “family member”, insert—““immigration rules” has the meaning given in section 33(1) of the Immigration Act 1971(**23**);”;
  - (b) in the definition of “person granted humanitarian protection”, in paragraph (a) omit “as defined in section 33(1) of the Immigration Act 1971”;
  - (c) in the definition of “person granted indefinite leave to remain as a bereaved partner”, in paragraph (a) omit “, as defined in section 33(1) of the Immigration Act 1971”;
  - (d) in the definition of “person granted indefinite leave to remain as a victim of domestic violence or domestic abuse”, in paragraph (i) omit “, as defined in section 33(1) of the Immigration Act 1971”;
  - (e) in the definition of “person granted leave under the Afghan Citizens Resettlement Scheme”, in paragraph (a)(i) for “Immigration Rules as defined in section 33(1) of the Immigration Act 1971” substitute “immigration rules”;
  - (f) in the definition of “person granted leave under the Afghan Relocations and Assistance Policy Scheme”, in paragraph (a)(i)—
    - (i) for “Immigration Rules”, in the first place it appears, substitute “immigration rules”;

(22) The Schedule was amended by S.R.s 2011 Nos. [70](#) and [276](#), S.R. 2013 No. [37](#), S.S 2019 No. [35](#), S.R. 2020 No. [295](#), S.R.s 2021 Nos. [50](#) and [85](#) and S.R.s 2022 Nos. [75](#) and [201](#) and [2011/1043](#).

(23) [1971 c. 77](#).



- (ii) for “Immigration Rules as defined in section 33(1) of the Immigration Act 1971” substitute “immigration rules”;
- (g) in the definition of “person granted leave under the Homes for Ukraine Sponsorship Scheme”—
  - (i) in paragraph (a)(i), for “Immigration Rules as defined in section 33(1) of the Immigration Act 1971” substitute “immigration rules”;
  - (ii) in paragraph (a)(ii), for “Immigration Rules as defined in section 33(1) of the Immigration Act 1971” substitute “immigration rules”;
- (h) in the definition of “person granted leave under the Ukraine Extension Scheme”, in paragraph (a), for “Immigration Rules as defined in section 33(1) of the Immigration Act 1971” substitute “immigration rules”;
- (i) in the definition of “person granted leave under the Ukraine Family Scheme”—
  - (i) in paragraph (a)(i) for “Immigration Rules as defined in section 33(1) of the Immigration Act 1971” substitute “immigration rules”;
  - (ii) in paragraph (a)(ii) for “Immigration Rules as defined in section 33(1) of the Immigration Act 1971” substitute “immigration rules”;
- (j) in the definition of “person granted stateless leave”, in paragraph (a) omit “(within the meaning given in section 33(1) of the Immigration Act 1971)”.
- (3) in paragraph (3)(2) omit “(as defined in section 33(1) of the Immigration Act 1971)”;
- (4) in paragraph 4B (Persons granted Calais leave) in paragraph (a) omit “, as defined in section 33(1) of the Immigration Act 1971”;
- (5) in paragraph 4F (Persons granted Calais leave) in paragraph (4) omit “(within the meaning given in section 33(1) of the Immigration Act 1971)”.

#### Commencement Information

**I21** Reg. 21 in operation at 26.2.2024, see [reg. 1\(2\)](#)

## CHAPTER 7 **N.I.**

### Amendments Relating to Family Members of Persons Granted Leave under one of the Afghan Schemes or one of the Ukraine Schemes

#### Amendments to the 2009 Regulations **N.I.**

**22.** In regulation 2(1) (interpretation) (as amended by regulations 10 and 19 of these regulations)

- (a) in the definition of “person granted leave under the Afghan Citizens Resettlement Scheme”, for paragraph (a) substitute—
  - “(a) who has indefinite leave to enter or remain in the United Kingdom, outside the immigration rules, on the basis of the Afghan Citizens Resettlement Scheme; and”;
- (b) in the definition of “person granted leave under the Afghan Relocations and Assistance Policy Scheme” in paragraph (a)—
  - (i) after sub-paragraph (i) insert
    - “(ia) indefinite leave to enter the United Kingdom under paragraph ARAP 6.1 of Appendix Afghan Relocation and Assistance Policy of the immigration

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- rules or indefinite leave to remain in the United Kingdom under paragraph ARAP 6.2 of that Appendix of those rules;”;
- (ii) at the end of sub-paragraph (ii) insert “or”;
  - (iii) at the end of sub-paragraph (iii), for “or” substitute “and”;
  - (iv) in sub-paragraph (iv), after “of those rules” insert “or paragraph ARAP 16.1 of Appendix Afghan Relocation and Assistance Policy of those rules”;
  - (v) omit sub-paragraph (iv).
- 23.** In regulation 2A(3) (as inserted by regulation 36 of these Regulations)—
- (a) in sub-paragraph (i), after “student” insert “or the student’s spouse, civil partner or parent”;
  - (b) in sub-paragraph (j), after “student” insert “or the student’s spouse, civil partner or parent”.
- 24.** In regulation 5 (eligible students) (as amended by regulation 11 of these regulations) —
- (a) in paragraph (11E)(**24**)(a), after “Afghan Schemes” insert “or the spouse, civil partner, child or step-child of such a person”;
  - (b) in paragraph (11F)(**25**)(a), after “Ukraine Schemes” insert “or the spouse, civil partner, child or step-child of such a person”.
- 25.** In regulation 105 (Eligible distance learning students) (as amended by regulation 15 of these regulations) —
- (a) in paragraph (11E)(**26**)(a), after “Afghan Schemes” insert “or the spouse, civil partner, child or step-child of such a person”;
  - (b) in paragraph (11F)(**27**)(a), after “Ukraine Schemes” insert “or the spouse, civil partner, child or step-child of such a person”.
- 26.** In regulation 122 (Eligible part-time students)—
- (a) in paragraph (10E)(**28**)(a), after “Afghan Schemes” insert “or the spouse, civil partner, child or step-child of such a person”;
  - (b) in paragraph (10F)(**29**)(a), after “Ukraine Schemes” insert “or the spouse, civil partner, child or step-child of such a person”.
- 27.** In regulation 139 (Eligible postgraduate students)—
- (a) in paragraph (12E)(**30**)(a), after “Afghan Schemes” insert “or the spouse, civil partner, child or step-child of such a person”;
  - (b) in paragraph (12F)(**31**)(a), after “Ukraine Schemes” insert “or the spouse, civil partner, child or step-child of such a person”.
- 28.** In regulation 149 (Eligible Master’s, etc. students)—
- (a) in paragraph (11E)(**32**)(a), after “Afghan Schemes” insert “or the spouse, civil partner, child or step-child of such a person”;
  - (b) in paragraph (11F)(**33**)(a), after “Ukraine Schemes” insert “or the spouse, civil partner, child or step-child of such a person”.

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(24) paragraph 11E was inserted by [S.R. 2022 No. 75](#).  
 (25) paragraph 11F was inserted by [S.R. 2022 No. 201](#).  
 (26) paragraph 11E was inserted by [S.R. 2022 No. 75](#).  
 (27) paragraph 11F was inserted by [S.R. 2022 No. 201](#).  
 (28) paragraph 10E was inserted by [S.R. 2022 No. 75](#).  
 (29) paragraph 10F was inserted by [S.R. 2022 No. 201](#).  
 (30) paragraph 12E was inserted by [S.R. 2022 No. 75](#).  
 (31) paragraph 12F was inserted by [S.R. 2022 No. 201](#).  
 (32) paragraph 11E was inserted by [S.R. 2022 No. 75](#).  
 (33) paragraph 11F was inserted by [S.R. 2022 No. 201](#).

29. In Part 2 of Schedule 2 (eligible students: categories)—

- (a) For paragraph 14(34) —  
(including the heading) substitute—

**“Persons granted leave under one of the Afghan Schemes and their family members”;**

14.—(1) A person granted leave under one of the Afghan Schemes, who is ordinarily resident in Northern Ireland on the course start date.

- (2) A person who—
- (a) is the spouse or civil partner of a person granted leave under one of the Afghan Schemes;
  - (b) on the leave application date, was the spouse or civil partner of that person;
  - (c) 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) is ordinarily resident in Northern Ireland on the course start date.

- (3) A person who—
- (a) is—
    - (i) the child of a person granted leave under one of the Afghan Schemes; or
    - (ii) the child of the spouse or civil partner of a person granted leave under one of the Afghan Schemes;
  - (b) on the leave application date, was—
    - (i) the child of the person granted leave under one of the Afghan Schemes; or
    - (ii) the child of a person who was the spouse or civil partner of the person granted leave under one of the Afghan Schemes on that date;
  - (c) was under 18 on the leave application date;
  - (d) 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
  - (e) is ordinarily resident in Northern Ireland on the course start date.

(4) In this paragraph “leave application date” means the date on which the person granted leave under one of the Afghan Schemes made an application for leave to enter or remain in the United Kingdom.”.

- (b) For paragraph 16 (including the heading) substitute—

**“Persons granted leave under one of the Ukraine Schemes and their family members**

16.—(1) A person granted leave under one of the Ukraine Schemes, who is ordinarily resident in Northern Ireland on the course start date.

- (2) A person who—
- (a) is the spouse or civil partner of a person granted leave under one of the Ukraine Schemes;

*Status: Point in time view as at 26/02/2024.*

*Changes to legislation: There are currently no known outstanding effects for the The Education (Student Support, etc.) (Amendment) Regulations (Northern Ireland) 2024. (See end of Document for details)*

- (b) on the leave application date, was the spouse or civil partner of that person;
  - (c) 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) is ordinarily resident in Northern Ireland on the course start date.
- (3) A person who—
- (a) is—
    - (i) the child of a person granted leave under one of the Ukraine Schemes; or
    - (ii) the child of the spouse or civil partner of a person granted leave under one of the Ukraine Schemes;
  - (b) on the leave application date, was—
    - (i) the child of the person granted leave under one of the Ukraine Schemes; or
    - (ii) the child of a person who was the spouse or civil partner of the person granted leave under one of the Ukraine Schemes on that date;
  - (c) was under 18 on the leave application date;
  - (d) 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
  - (e) is ordinarily resident in Northern Ireland on the course start date.
- (4) In this paragraph “leave application date” means the date on which the person granted leave under one of the Ukraine Schemes made an application for leave to enter or remain in the United Kingdom.”.

#### Commencement Information

<b>I22</b>	Reg. 22 in operation at 26.2.2024 with application in accordance with reg. 1(5)(6)
<b>I23</b>	Reg. 23(a) in operation at 26.2.2024 with application in accordance with reg. 1(5)(6)
<b>I24</b>	Reg. 23(b) in operation at 26.2.2024 with application in accordance with reg. 1(3)(4)(b)
<b>I25</b>	Reg. 24(a) in operation at 26.2.2024 with application in accordance with reg. 1(5)(6)
<b>I26</b>	Reg. 24(b) in operation at 26.2.2024 with application in accordance with reg. 1(3)(4)(b)
<b>I27</b>	Reg. 25(a) in operation at 26.2.2024 with application in accordance with reg. 1(5)(6)
<b>I28</b>	Reg. 25(b) in operation at 26.2.2024 with application in accordance with reg. 1(3)(4)(b)
<b>I29</b>	Reg. 26(a) in operation at 26.2.2024 with application in accordance with reg. 1(5)(6)
<b>I30</b>	Reg. 26(b) in operation at 26.2.2024 with application in accordance with reg. 1(3)(4)(b)
<b>I31</b>	Reg. 27(a) in operation at 26.2.2024 with application in accordance with reg. 1(5)(6)
<b>I32</b>	Reg. 27(b) in operation at 26.2.2024 with application in accordance with reg. 1(3)(4)(b)
<b>I33</b>	Reg. 28(a) in operation at 26.2.2024 with application in accordance with reg. 1(5)(6)
<b>I34</b>	Reg. 28(b) in operation at 26.2.2024 with application in accordance with reg. 1(3)(4)(b)
<b>I35</b>	Reg. 29(a) in operation at 26.2.2024 with application in accordance with reg. 1(5)(6)
<b>I36</b>	Reg. 29(b) in operation at 26.2.2024 with application in accordance with reg. 1(3)(4)(b)

#### Amendments to the 2007 Regulations **N.I.**

**30.**—(1) The Schedule (Qualifying Persons) (as amended by regulation 21 of these regulations) is amended as follows—

- (2) in paragraph (1)—

- (a) in the definition of “person granted leave under the Afghan Citizens Resettlement Scheme”, for paragraph (a) substitute—
  - “(a) who has indefinite leave to enter or remain in the United Kingdom, outside the immigration rules, on the basis of the Afghan Citizens Resettlement Scheme; and”;
- (b) in the definition of “person granted leave under the Afghan Relocations and Assistance Policy Scheme”, in paragraph (a)—
  - (i) after sub-paragraph (i) insert
    - “(ia) indefinite leave to enter the United Kingdom under paragraph ARAP 6.1 of Appendix Afghan Relocation and Assistance Policy of the immigration rules or indefinite leave to remain in the United Kingdom under paragraph ARAP 6.2 of that Appendix of those rules;”;
  - (ii) at the end of sub-paragraph (ii) insert “or”;
  - (iii) at the end of sub-paragraph (iii), for “or” substitute “and”;
  - (iv) in sub-paragraph (iv), after “of those rules” insert “or paragraph ARAP 16.1 of Appendix Afghan Relocation and Assistance Policy of those rules”;
  - (v) omit sub-paragraph (iv).
- (3) in Part 2 of the Schedule (qualifying persons: categories)—
  - (a) for paragraph 4G(35) (including the heading) substitute—

**“Persons granted leave under one of the Afghan Schemes and their family members**

**4G.**—(1) A person granted leave under one of the Afghan Schemes, who is ordinarily resident in the United Kingdom on the course start date.

- (2) A person who—
  - (a) is the spouse or civil partner of a person granted leave under one of the Afghan Schemes;
  - (b) on the leave application date, was the spouse or civil partner of that person;
  - (c) is ordinarily resident in the United Kingdom and Islands and has not ceased to be so resident since being granted leave to enter or remain in the United Kingdom; and
  - (d) is ordinarily resident in the United Kingdom on the course start date.
- (3) A person who—
  - (a) is—
    - (i) the child of a person granted leave under one of the Afghan Schemes; or
    - (ii) the child of the spouse or civil partner of a person granted leave under one of the Afghan Schemes;
  - (b) on the leave application date, was—
    - (i) the child of the person granted leave under one of the Afghan Schemes; or
    - (ii) the child of a person who was the spouse or civil partner of a person granted leave under one of the Afghan Schemes on that date;
  - (c) was under 18 on the leave application date;

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- (d) 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
  - (e) is ordinarily resident in the United Kingdom on the course start date.
- (4) In this paragraph “leave application date” means the date on which the person granted leave under one of the Afghan Schemes made an application for leave to enter or remain in the United Kingdom.”;
- (b) for paragraph 4I(36) (including the heading) substitute—

**“Persons granted leave under one of the Ukraine Schemes and their family members**

**4I.—**(1) A person granted leave under one of the Ukraine Schemes, who is ordinarily resident in the United Kingdom on the course start date.

- (2) A person who—
  - (a) is the spouse or civil partner of a person granted leave under one of the Ukraine Schemes;
  - (b) on the leave application date, was the spouse or civil partner of that person;
  - (c) is ordinarily resident in the United Kingdom and Islands and has not ceased to be so resident since being granted leave to enter or remain in the United Kingdom; and
  - (d) is ordinarily resident in the United Kingdom on the course start date.
- (3) A person who—
  - (a) is—
    - (i) the child of a person granted leave under one of the Ukraine Schemes; or
    - (ii) the child of the spouse or civil partner of a person granted leave under one of the Ukraine Schemes;
  - (b) on the leave application date, was—
    - (i) the child of the person granted leave under one of the Ukraine Schemes; or
    - (ii) the child of a person who was the spouse or civil partner of a person granted leave under one of the Ukraine Schemes on that date;
  - (c) was under 18 on the leave application date;
  - (d) 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
  - (e) is ordinarily resident in the United Kingdom on the course start date.
- (4) In this paragraph “leave application date” means the date on which the person granted leave under one of the Ukraine Schemes made an application for leave to enter or remain in the United Kingdom.”.

**Commencement Information**

**I37** Reg. 30(1)(4) in operation at 26.2.2024, see [reg. 1\(2\)](#)

**I38** Reg. 30(2) in operation at 26.2.2024 with application in accordance with reg. 1(5)(6)

- I39** Reg. 30(3)(a) in operation at 26.2.2024 with application in accordance with reg. 1(5)(6)  
**I40** Reg. 30(3)(b) in operation at 26.2.2024 with application in accordance with reg. 1(3)(4)(b)

## CHAPTER 8 **N.I.**

### Amendments relating to the ordinary residence requirements

#### Amendments to the 2009 Regulations **N.I.**

**31.** In regulation 2(1) (interpretation) (as amended by regulation 10, 19 and 22 of these regulations), after the definition of “course for the initial training of teachers” insert—

““the course start date” means the day on which the first term of the first academic year of a course actually begins;”.

**32.** In Part 2 of Schedule 2 (eligible students: categories) ( as amended by regulation 29 of these regulations)—

- (a) in paragraph 2A(1)(a)(**37**) (persons who are settled in the United Kingdom), for “the first day of the first academic year of the course” substitute “the course start date”;
- (b) in paragraph 4 (Refugees and their family members)—
  - (i) in sub-paragraph (1)(c) for “the first day of the first academic year of the course” substitute “the course start date”;
  - (ii) in sub-paragraph (2)(d) for “the first day of the first academic year of the course” substitute “the course start date”;
  - (iii) in sub-paragraph 3(e) for “the first day of the first academic year of the course” substitute “the course start date”;
- (c) in paragraph 4A(**38**) (persons granted section 67 leave), for “the first day of the first academic year of the course” substitute “the course start date”;
- (d) in paragraph 4B(**39**) (persons granted Calais leave), for “the first day of the first academic year of the course” substitute “the course start date”;
- (e) in paragraph 4C(**40**) (persons granted humanitarian protection and their family members)—
  - (i) in paragraph (1) for “the first day of the first academic year of the course” substitute “the course start date”;
  - (ii) in sub-paragraph (2)(d) for “the first day of the first academic year of the course” substitute “the course start date”;
  - (iii) in sub-paragraph 3(e) for “the first day of the first academic year of the course” substitute “the course start date”;
- (f) in paragraph 4D(**41**) (persons granted indefinite leave to remain as a bereaved partner), for “the first day of the first academic year of the course” substitute “the course start date”;
- (g) in paragraph 4E(**42**) (persons granted indefinite leave to remain as a victim of domestic violence or domestic abuse), for “the first day of the first academic year of the course” substitute “the course start date”;

(37) paragraph 2A was inserted by [S.R. 2021 No. 85](#).

(38) paragraph 4A was substituted by [S.R. 2021 No. 50](#).

(39) paragraph 4B was substituted by [S.R. 2021 No. 50](#).

(40) paragraph 4C was substituted by [S.R. 2021 No. 50](#).

(41) paragraph 4D was substituted by [S.R. 2021 No. 50](#).

(42) paragraph 4E was substituted by [S.R. 2021 No. 50](#).



**Status:** Point in time view as at 26/02/2024.

**Changes to legislation:** There are currently no known outstanding effects for the The Education (Student Support, etc.) (Amendment) Regulations (Northern Ireland) 2024. (See end of Document for details)

- (h) in paragraph 4F(43) (persons granted stateless leave and their family members)—
  - (i) in paragraph (1) for “the first day of the first academic year of the course” substitute “the course start date”;
  - (ii) in sub-paragraph (2)(c) for “the first day of the first academic year of the course” substitute “the course start date”;
  - (iii) in sub-paragraph 3(d) for “the first day of the first academic year of the course” substitute “the course start date”;
- (i) in paragraph 5(44) (persons with leave to enter or remain on the grounds of discretionary leave and their family members)—
  - (i) in paragraph (1) for “the first day of the first academic year of the course” substitute “the course start date”;
  - (ii) in sub-paragraph (2)(d) for “the first day of the first academic year of the course” substitute “the course start date”;
  - (iii) in sub-paragraph 3(d) for “the first day of the first academic year of the course” substitute “the course start date”;
- (j) in paragraph 8(1)(c)(45) (persons who are settled in the United Kingdom and have exercised a right of residence elsewhere), for “the first day of the first academic year of the course” substitute “the course start date”;
- (k) in paragraph 8A(1)(d)(46) (persons who are settled in the United Kingdom and have exercised a right of residence elsewhere), for “the first day of the first academic year of the course” substitute “the course start date”.
- (l) in paragraph 15(47) (evacuated or assisted British nationals from Afghanistan), for “the first day of the first academic year of the course” substitute “the course start date”;

#### Commencement Information

**I41** Reg. 31 in operation at 26.2.2024 with application in accordance with reg. 1(3)(4)(c)

**I42** Reg. 32 in operation at 26.2.2024 with application in accordance with reg. 1(3)(4)(c)

#### Amendments to the 2007 Regulations **N.I.**

- 33.** In regulation 2 after the definition of “course for the initial training of teachers” insert—
 

““the course start date” means the day on which the first term of the first academic year of a course actually begins;”.
- 34.** In Part 2 of the Schedule (qualifying persons: categories) (as amended by regulations 21 and 30 of these regulations)—
  - (a) in paragraph 2A(1)(a)(48) (persons who are settled in the United Kingdom) for “the first day of the first academic year of the course” substitute “the course start date”;
  - (b) in paragraph 4 (Refugees and their family members)—
    - (i) in sub-paragraph (1)(c) for “the first day of the first academic year of the course” substitute “the course start date”;

(43) paragraph 4F was substituted by [S.R. 2021 No. 50](#).

(44) paragraph 5 was substituted by [S.R. 2021 No. 50](#).

(45) paragraph 8 was amended by [S.R. 2020 No. 295](#).

(46) paragraph 8A was inserted by [S.R. 2021 No. 85](#).

(47) paragraph 15 was inserted by [S.R. 2022 No. 201](#).

(48) paragraph 2A was inserted by [S.R. 2021 No. 85](#) and amended by [S.R. 2022 No. 75](#).



- (ii) in sub-paragraph (2)(d) for “the first day of the first academic year of the course” substitute “the course start date”;
- (iii) in sub-paragraph 3(e) for “the first day of the first academic year of the course” substitute “the course start date”;
- (c) in paragraph 4A(49)(c) (persons granted section 67 leave), for “the first day of the first academic year of the course” substitute “the course start date”;
- (d) in paragraph 4B(50)(c) (persons granted Calais leave), for “the first day of the first academic year of the course” substitute “the course start date”;
- (e) in paragraph 4C(51) (persons granted humanitarian protection and their family members)
  - (i) in paragraph (1) for “the first day of the first academic year of the course” substitute “the course start date”;
  - (ii) in sub-paragraph (2)(d) for “the first day of the first academic year of the course” substitute “the course start date”;
  - (iii) in sub-paragraph 3(e) for “the first day of the first academic year of the course” substitute “the course start date”;
- (f) in paragraph 4D(52) (persons granted indefinite leave to remain as a bereaved partner), for “the first day of the first academic year of the course” substitute “the course start date”;
- (g) in paragraph 4E(53) (persons granted indefinite leave to remain as a victim of domestic violence or domestic abuse), for “the first day of the first academic year of the course” substitute “the course start date”;
- (h) in paragraph 4F(54) (persons granted stateless leave and their family members)—
  - (i) in paragraph (1) for “the first day of the first academic year of the course” substitute “the course start date”;
  - (ii) in sub-paragraph (2)(b) for “the first day of the first academic year of the course” substitute “the course start date”;
  - (iii) in sub-paragraph 3(c) for “the first day of the first academic year of the course” substitute “the course start date”;
- (i) in paragraph 4H(55) (evacuated or assisted British nationals from Afghanistan), for “the first day of the first academic year of the course” substitute “the course start date”;
- (j) in paragraph 5(56) (persons with leave to enter or remain on the grounds of discretionary leave and their family members)—
  - (i) in paragraph (1) for “the first day of the first academic year of the course” substitute “the course start date”;
  - (ii) in sub-paragraph (2)(d) for “the first day of the first academic year of the course” substitute “the course start date”;
  - (iii) in sub-paragraph 3(d) for “the first day of the first academic year of the course” substitute “the course start date”;

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(49) paragraph 4A was substituted by S.R. 2021 No. 50.

(50) paragraph 4B was substituted by S.R. 2021 No. 50.

(51) paragraph 4C was substituted by S.R. 2021 No. 50.

(52) paragraph 4D was substituted by S.R. 2021 No. 50.

(53) paragraph 4E was substituted by S.R. 2021 No. 50.

(54) paragraph 4F was substituted by S.R. 2021 No. 50.

(55) paragraph 15 was inserted by S.R. 2022 No. 201.

(56) paragraph 5 was substituted by S.R. 2021 No. 50.

*Status: Point in time view as at 26/02/2024.*

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- (k) in paragraph 8(1)(c) (persons who are settled in the United Kingdom and have exercised a right of residence elsewhere), for “the day on which the first term of the first academic year actually begins” substitute “the course start date”;
- (l) in paragraph 8A(57)(1)(d) (persons who are settled in the United Kingdom and have exercised a right of residence elsewhere), for “the day on which the first term of the first academic year actually begins” substitute “the course start date”.

#### Commencement Information

- I43** Reg. 33 in operation at 26.2.2024 with application in accordance with reg. 1(3)(4)(c)
- I44** Reg. 34 in operation at 26.2.2024 with application in accordance with reg. 1(3)(4)(c)

## CHAPTER 9 **N.I.**

Amendments relating to students becoming eligible  
for student support in the course of an academic year

### Amendments to the 2009 Regulations **N.I.**

**35.** In regulation 2 (interpretation) (as amended by regulations 10, 19, 22, and 31 of these regulations)—

- (a) in the heading, after interpretation insert “: general”;
- (b) in paragraph (1)—
  - (i) after the definition of “contribution” insert—
    - ““course designation event” has the meaning given in regulation 2A(5);”;
  - (ii) after the definition of “disabled students’ allowance” insert—
    - ““distance learning designation event” has the meaning given in regulation 2A(6);”;
  - (iii) after the definition of “intensive course” insert—
    - ““in-year qualifying event” has the meaning given in regulation 2A(2);”;
  - (iv) after the definition of “long courses loan” insert—
    - ““Master’s, etc. designation event” has the meaning given in regulation 2A(9);”;
  - (v) after the definition of “ordinary duration” insert—
    - ““part-time course designation event” has the meaning given in regulation 2A(7);”;
  - (vi) after the definition of “person with protected rights” insert—
    - ““postgraduate course designation event” has the meaning given in regulation 2A(8);”;
  - (vii) after the definition of “private institution” insert—
    - ““protected category event” has the meaning given in regulation 2A(3);”;
  - (viii) after the definition of “Scottish healthcare allowance” insert—
    - ““settled status event” has the meaning given in regulation 2A(4);”.

**36.** After regulation 2 insert—

(57) paragraph 8A was inserted by [S.R. 2021 No. 85](#).

**“Meaning of “in-year qualifying event”, “protected category event”, “settled status event”, “course designation event” etc. and related matters**

**2A.—**(1) This regulation defines “in-year qualifying event”, “protected category event”, “settled status event”, “course designation event”, “distance learning designation event”, “part-time course designation event”, “postgraduate course designation event” and “Master’s, etc. designation event”, makes related provision for the purposes of these Regulations.

- (2) “In-year qualifying event”, in relation to a student, means—
- (a) a protected category event which occurs after the course start date;
  - (b) a settled status event;
  - (c) the student becomes a person described in paragraph 3(1)(a) of Part 2 of Schedule 2;
  - (d) where regulation 5(2A), 105(2A), 122(2A), 139(3A) or 149(2A) applies, the student becomes a person described in paragraph 12(a) of Part 2 of Schedule 2;
  - (e) the student becomes a person described in paragraph 6A(1)(a) or 6B(1)(a) of Part 2 of Schedule 2, or where regulation 5(2A), 105(2A), 122(2A), 139(3A) or 149(2A) applies, in paragraph 6(1)(a) of Part 2 of Schedule 2;
  - (f) the student becomes a person described in paragraph 11A(a) of Part 2 of Schedule 2 or, where regulation 5(2A), 105(2A), 122(2A), 139(3A) or 149(2A) applies, in paragraph 11(1)(a) of Part 2 of Schedule 2; or
  - (g) the student becomes a person described in paragraph 9B(1)(a)(ii) of Part 2 of Schedule 2.
- (3) “Protected category event”, in relation to a student, means—
- (a) the student or the student’s spouse, civil partner or parent is recognised as a refugee;
  - (b) the student or the student’s spouse, civil partner or parent becomes a person granted stateless leave;
  - (c) the student or the student’s spouse, civil partner or parent becomes a person granted humanitarian protection;
  - (d) the student or the student’s spouse, civil partner or parent becomes a person granted leave to enter or remain on the grounds of discretionary leave;
  - (e) the student becomes a person granted section 67 leave;
  - (f) the student becomes a person granted indefinite leave to remain as a victim of domestic violence or domestic abuse;
  - (g) the student becomes a person granted Calais leave;
  - (h) the student becomes a person granted indefinite leave to remain as a bereaved partner;
  - (i) the student or the student’s spouse, civil partner or parent becomes a person granted leave under one of the Afghan Schemes; or
  - (j) the student or the student’s spouse, civil partner or parent becomes a person granted leave under one of the Ukraine Schemes.
- (4) “Settled status event”, in relation to a student, means the student becomes a family member described in paragraph 9A(1)(a), 9C(1)(a) or 9D(1)(a) of Part 2 of Schedule 2.
- (5) “Course designation event”, in relation to a course, means the course becomes a course designated under regulation 6;

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(6) “Distance learning designation event”, in relation to a course, means the course becomes a course designated under regulation 107;

(7) “Part-time course designation event”, in relation to a course, means the course is designated under regulation 124;

(8) “Postgraduate course designation event”, in relation to a course, means the course is designated under regulation 141;

(9) “Master’s, etc. designation event”, in relation to a course, means the course is designated under regulation 152;

(10) Where a protected category event occurs in relation to a student after the course start date, paragraph (11) applies for the purposes of determining whether that event results in the student becoming an eligible student, eligible distance learning student, eligible part-time student, eligible postgraduate student or eligible Master’s etc student.

(11) The student is to be treated, for the purposes of determining whether the student satisfies any requirement in Schedule 2 to be ordinarily resident in Northern Ireland on the course start date, as if the student was, on the course start date, lawfully residing in the place where the student was residing on that date.”

**37.** In regulation 10(2)(a) (time limits), for “one of the events listed in regulation 18” substitute “an in-year qualifying event or a course designation event”.

**38.** For regulation 17 (students becoming eligible during the course of an academic year) substitute—

**“17. Students becoming eligible during the course of an academic year**

(1) Subject to paragraph 1(d) where—

- (a) a course designation event which results in a student’s course becoming a designated course occurs in the course of an academic year;
- (b) a protected category event which results in a student becoming an eligible student occurs—
  - (i) in the course of the first academic year of a course; and
  - (ii) on or before the course start date; or
- (c) an in-year qualifying event which results in a student becoming an eligible student occurs within the first three months of an academic year, the student may qualify for a fee loan in accordance with this Part in respect of that academic year;
- (d) a fee loan is not available in respect of any academic year beginning before the academic year in which the event in question occurs.”.

**39.** Omit regulation 18(**58**) (events).

**40.** In regulation 39(general qualifying conditions for grants for living and other costs), for paragraph (7)(**59**) substitute—

“(7) Where a protected category event which results in a student becoming an eligible student occurs—

- (a) in the course of the first academic year of a course; and
- (b) on or before the course start date,

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(58) Regulation 18 was amended by S.R.s 2019 No. 35, 2020 No. 295, 2021 Nos. 50 and 85 and 2022 No. 201.

(59) Paragraph 7 was amended by S.R.s 2012 No. 398, 2021 Nos. 85 and 260 and 2022 No. 201.

the student may qualify for a particular grant in accordance with this Part in respect of that academic year.

(7A) Subject to paragraph (7B), where—

- (a) a course designation event which results in a student's course becoming a designated course occurs in the course of an academic year; or
- (b) an in-year qualifying event (other than a settled status event) which results in a student becoming an eligible student occurs in the course of an academic year,

the student may qualify for a particular grant in accordance with this Part in respect of part of that academic year.

(7B) student does not qualify for such a grant in respect of any academic year beginning before the academic year in which the event in question occurs.”.

**41.** In regulation 42 (amount of disabled students' allowance), for paragraph (6)(60) substitute—

“(6) Where a protected category event which results in a student becoming an eligible student occurs—

- (a) in the course of the first academic year of a course; and
- (b) on or before the course start date,

the student may qualify for the disabled students' allowance in respect of the four quarters of that academic year.

(6A) Where—

- (a) a course designation event which results in a student's course becoming a designated course occurs in the course of an academic year; or
- (b) an in-year qualifying event (other than a settled status event) which results in a student becoming an eligible student occurs in the course of an academic year,

the student may qualify for the disabled students' allowance in respect of the qualifying quarters.

(6B) For the purposes of paragraph (6A) “the qualifying quarters” means—

- (a) the quarter in which the relevant event occurs; and
- (b) if relevant, such other quarters as begin after the relevant event occurs.”.

**42.** In regulation 46 (childcare grant), for paragraph (11)(61) substitute—

“(11) Where a protected category event which results in a student becoming an eligible student occurs—

- (a) in the course of the first academic year of a course; and
- (b) on or before the course start date,

the student may qualify for a childcare grant in respect of the four quarters of that academic year.

(11A) Where—

- (a) a course designation event which results in a student's course becoming a designated course occurs in the course of an academic year; or
- (b) an in-year qualifying event (other than a settled status event) which results in a student becoming an eligible student occurs in the course of an academic year,

(60) Paragraph 6 was amended by S.R.s 2021 Nos. 85 and 260 and 2022 Nos. 75 and 201.

(61) Paragraph 11 was amended by S.R.s 2021 Nos. 85 and 260 and 2022 No. 201.

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*Status: Point in time view as at 26/02/2024.*

*Changes to legislation: There are currently no known outstanding effects for the The Education (Student Support, etc.) (Amendment) Regulations (Northern Ireland) 2024. (See end of Document for details)*

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the student may qualify for a childcare grant in respect of such quarters of the academic year as begin after the event in question occurs.”.

43. In regulation 48(8)(d) (calculations) for “an event referred to in regulation 18” substitute—  
“—

- (i) course designation event, or
- (ii) an in-year qualifying event (other than a settled status event)”.

44. For regulation 50A(62) substitute—

**“Quarters in respect of which grant for travel is payable**

**50A.**—(1) Subject to paragraphs (2) and (3), a grant for travel is payable in respect of the four quarters of the academic year.

(2) Where a protected category event which results in a student becoming an eligible student occurs—

- (a) in the course of the first academic year of a course; and
- (b) on or before the course start date,

the student may qualify for a grant for travel in respect of the four quarters of the first academic year of the course.

(3) Where—

- (a) a course designation event which results in a student’s course becoming a designated course occurs in the course of an academic year; or
- (b) an in-year qualifying event (other than a settled status event) which results in a student becoming an eligible student occurs in the course of an academic year,

the student may qualify for a grant for travel in respect of such quarters of the academic year as begin after the event in question occurs.”.

45. In regulation 57 (qualifying conditions for maintenance grants) (as amended by regulation 12 of these regulations), for paragraph (5)(63) substitute—

“(5) Where a protected category event which results in a student becoming an eligible student occurs—

- (a) in the course of the first academic year of a course; and
- (b) on or before the course start date,

the student may qualify for a maintenance grant in respect of the four quarters of that academic year.

(5A) Where—

- (a) a course designation event which results in student’s course becoming a designated course occurs in the course of an academic year; or
- (b) an in-year qualifying event (other than a settled status event) which results in a student becoming an eligible student occurs in the course of an academic year,

the student may qualify for a maintenance grant in respect of such quarters of the academic year as begin after the event in question occurs.”.

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(62) Regulation 50A was inserted by S.R. 2012 No. 398 and amended by S.R.s 2021 Nos. 85 and 260 and 2022 No. 201.

(63) Paragraph 5 was amended by S.Rs. 2021 Nos. 85 and 201 and 2022 No. 201.

46. In regulation 59 (qualifying conditions for special support grant), for paragraph (5)(64) substitute—

“(5) Where a protected category event which results in a student becoming an eligible student occurs—

- (a) in the course of the first academic year of a course; and
- (b) on or before the course start date,

the student may qualify for a special support grant in respect of the four quarters of that academic year.

(5A) Where—

- (a) a course designation event which results in student’s course becoming a designated course occurs in the course of an academic year; or
- (b) an in-year qualifying event (other than a settled status event) which results in a student becoming an eligible student occurs in the course of an academic year,

the student may qualify for a special support grant in respect of such quarters of the academic year as begin after the event in question occurs.”.

47. In regulation 74(65) (students becoming eligible in the course of an academic year)—

(a) for paragraph (1) substitute—

“(1) Where any of the following events occur in the course of an academic year, a student may qualify for a loan for living costs in respect of such quarters in respect of which such a loan is payable as beginning after the event in question occurs—

- (a) a course designation event which results in the student’s course becoming a designated course; or
- (b) an in-year qualifying event (other than a settled status event) which results in the student becoming an eligible student.

(1A) Where a protected category event which results in a student becoming an eligible student occurs—

- (a) in the course of the first academic year of a course; and
- (b) on or before the course start date,

the student may qualify for a loan for living costs in respect of all quarters of that academic year in respect of which a loan for living costs is payable.”.

(b) omit paragraph (2).

48. For regulation 106 (students becoming eligible during the course of the academic year) substitute—

**“106. Students becoming eligible during the course of the academic year**

(1) Subject to paragraph (1)(d) where—

- (a) a distance learning course designation event which results in a student’s course becoming a designated distance learning course occurs in the course of an academic year;
- (b) a protected category event which results in a student becoming an eligible distance learning student occurs—

- (i) in the course of the first academic year of a course; and

(64) Paragraph 5 was amended by S.Rs. 2021 Nos. 85 and 260 and 2022 No. 201.

(65) Regulations 74 was amended by S.Rs. 2019 No. 35, 2020 No. 295, 2021 Nos. 50 and 85, 2022 Nos. 75 and 201.

*Status: Point in time view as at 26/02/2024.*

*Changes to legislation: There are currently no known outstanding effects for the The Education (Student Support, etc.) (Amendment) Regulations (Northern Ireland) 2024. (See end of Document for details)*

- (ii) on or before the course start date; or
  - (c) an in-year qualifying event occurs within the first three months of an academic year which results in a student becoming an eligible distance learning student, the student may qualify for a fee grant in accordance with this Part in respect of that academic year;
  - (d) a fee grant is not available in respect of any academic year beginning before the academic year in which the event in question occurs.”.
- (2) Subject to paragraph (2)(d) where—
- (a) a distance learning course designation event which results in a student’s course becoming a designated distance learning course occurs in the course of an academic year;
  - (b) a protected category event which results in a student becoming an eligible distance learning student occurs—
    - (i) in the course of the first academic year of a course; and
    - (ii) on or before the course start date; or
  - (c) an in-year qualifying event occurs within the first three months of an academic year which results in a student becoming an eligible distance learning student, the student may qualify for a distance learning fee loan in accordance with this Part in respect of that academic year;
  - (d) a distance learning fee loan is not available in respect of any academic year beginning before the academic year in which the event in question occurs.
- (3) Subject to paragraph (3)(d) where—
- (a) a distance learning course designation event which results in a student’s course becoming a designated distance learning course occurs in the course of an academic year; or
  - (b) a protected category event which results in a student becoming an eligible distance learning student occurs—
    - (i) in the course of the first academic year of a course; and
    - (ii) on or before the course start date; or
  - (c) an in-year qualifying event (other than a settled status event) which results in a student becoming an eligible distance learning student occurs within the first three months of an academic year, the student may qualify for a grant for books, travel and other expenditure in respect of such quarters, in respect of which a loan for living costs is payable, beginning after the event in question occurs;
  - (d) a grant for books, travel and other expenditure is not available in respect of any academic year beginning before the academic year in which the event in question occurs.
- (4) Subject to paragraph (4)(d) where—
- (a) a distance learning course designation event which results in a student’s course becoming a distance learning course occurs in the course of an academic year; or
  - (b) a protected category event which results in a student becoming an eligible distance learning student occurs—
    - (i) in the course of the first academic year of a course; and



- (ii) on or before the course start date; or
- (c) an in-year qualifying event (other than a settled status event) which results in a student becoming an eligible distance learning student occurs within the first three months of an academic year,

the student may qualify for disabled distance learning students' allowance in respect of such quarters, in respect of which a loan for living costs is payable, beginning after the event in question occurs;

- (d) a disabled distance learning students' allowance is not available in respect of any academic year beginning before the academic year in which the event in question occurs.”.

**49.** In Regulation 112 (disabled distance learning students' allowance), in paragraph (8) for “106(3)” substitute “106(4)”.

**50.** In Regulation 113 (6)(a) (applications for support), for “one of the events listed in paragraph (4) of regulation 106” substitute “an event falling within regulation 106”.

**51.** For regulation 123(66) (students becoming eligible during the course of the academic year) substitute—

**“123. Students becoming eligible during the course of the academic year**

(1) Subject to paragraph (1)(d) where—

- (a) a part-time course designation event which results in a student's course becoming a designated part-time course occurs in the course of an academic year;
- (b) a protected category event which results in a student becoming an eligible part-time student occurs—
  - (i) in the course of the first academic year of a course; and
  - (ii) on or before the course start date; or
- (c) an in-year qualifying event occurs within the first three months of an academic year which results in a student becoming an eligible part-time student,

the student may qualify for a fee grant in accordance with this Part in respect of that academic year;

- (d) a fee grant is not available in respect of any academic year beginning before the academic year in which the event in question occurs.”.

(2) Subject to paragraph (2)(d) where—

- (a) a part-time course designation event which results in a student's course becoming a designated part-time course occurs in the course of an academic year;
- (b) a protected category event which results in a student becoming an eligible part-time student occurs—
  - (i) in the course of the first academic year of a course; and
  - (ii) on or before the course start date; or
- (c) an in-year qualifying event occurs within the first three months of an academic year which results in a student becoming an eligible part-time student,

the student may qualify for a part-time fee loan in accordance with this Part in respect of that academic year;

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*Status: Point in time view as at 26/02/2024.*

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(d) a part-time fee loan is not available in respect of any academic year beginning before the academic year in which the event in question occurs.

(3) Subject to paragraph (3)(d) where—

(a) a part-time course designation event which results in a student’s course becoming a designated part-time course occurs in the course of an academic year; or

(b) a protected category event which results in a student becoming an eligible part-time student occurs—

(i) in the course of the first academic year of a course; and

(ii) on or before the course start date; or

(c) an in-year qualifying event (other a settled status event) which results in a student becoming an eligible student occurs within the first three months of an academic year,

the student may qualify for a grant for books, travel and other expenditure in respect of such quarters, in respect of which a loan for living costs is payable, beginning after the event in question occurs;

(d) a grant for books, travel and other expenditure is not available in respect of any academic year beginning before the academic year in which the event in question occurs.

(4) Subject to paragraph to (4)(d) where—

(a) a part-time course designation event which results in a student’s course becoming a part-time course occurs in the course of an academic year; or

(b) a protected category event which results in a student becoming an eligible part-time student occurs—

(i) in the course of the first academic year of a course; and

(ii) on or before the course start date; or

(c) an in-year qualifying event (other a settled status event) which results in a student becoming an eligible student occurs within the first three months of an academic year,

the student may qualify for disabled part-time students’ allowance in respect of such quarters, in respect of which a part-time fee loan is payable, beginning after the event in question occurs.

(d) a disabled part-time students’ allowance is not available in respect of any academic year beginning before the academic year in which the event in question occurs.”.

**52.** In Regulation 130 (disabled part-time students’ allowance), in paragraph (7)(**67**) for the wording from “regulation 123” to “(p)” substitute “123(4)”.

**53.** In Regulation 131 (applications for support), in sub-paragraph (6)(a) omit for “one of the events listed in paragraph (3) of regulation 123” substitute “an event falling within regulation 123”.

**54.** In regulation 140(**68**) (students becoming eligible in the course of an academic year)—

(a) for paragraph (1) substitute—

“(1) Where any of the following events occur in the course of an academic year, a student may qualify for a grant under this Part in respect of which is payable as beginning after the event in question occurs—

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(67) Paragraph 7 was amended by S.R.s 2021 No. 260 and 2022 Nos. 75 and 201.

(68) Regulations 140 was amended by S.Rs. 2019 No. 35, 2020 No. 295, 2021 Nos. 50 and 85, 2022 Nos. 75 and 201.

- (a) a course designation event which results in the student's course becoming a designated course; or
  - (b) an in-year qualifying event (other than a settled status event) which results in the student becoming an eligible student.
- (1A) Where a protected category event which results in a student becoming an eligible student occurs—
- (a) in the course of the first academic year of a course; and
  - (b) on or before the course start date,
- the student may qualify for a grant under this Part in respect of all quarters of that academic year in respect of which a loan for living costs is payable.”
- (b) omit paragraph (2).
55. In Regulation 146 (amount of grant), in sub-paragraph (5) omit “(2)”.
56. For regulation 150(69) (students becoming eligible during the course of an academic year) substitute—

**“150. Students becoming eligible during the course of an academic year**

- (1) Subject to paragraph (1)(d) where—
- (a) a master's, etc designation event which results in a student's course becoming a designated master's, etc. course occurs in the course of an academic year;
  - (b) a protected category event which results in a student becoming an eligible master's, etc. student occurs—
    - (i) in the course of the first academic year of a course; and
    - (ii) on or before the course start date; or
  - (c) an in-year qualifying event which results in a student becoming an eligible master's, etc. student occurs within the first three months of an academic year, the student may qualify for a master's, etc. fee loan in accordance with this Part in respect of that academic year;
  - (d) a master's etc. fee loan is not available in respect of any academic year beginning before the academic year in which the event in question occurs.”.

57. Omit regulation 151(70) (events).

58. In Regulation 159(71) (time limits) in sub-paragraph (2)(a) for “one of the events listed in 151” substitute “an in-year qualifying event”.

**Commencement Information**

- I45** Reg. 35 in operation at 26.2.2024 with application in accordance with reg. 1(3)(4)(c)
- I46** Reg. 36 in operation at 26.2.2024 with application in accordance with reg. 1(3)(4)(c)
- I47** Reg. 37 in operation at 26.2.2024 with application in accordance with reg. 1(3)(4)(c)
- I48** Reg. 38 in operation at 26.2.2024 with application in accordance with reg. 1(3)(4)(c)
- I49** Reg. 39 in operation at 26.2.2024 with application in accordance with reg. 1(3)(4)(c)
- I50** Reg. 40 in operation at 26.2.2024 with application in accordance with reg. 1(3)(4)(c)
- I51** Reg. 41 in operation at 26.2.2024 with application in accordance with reg. 1(3)(4)(c)

(69) Regulations 150 was inserted by [S.R. 2017 No. 7](#).

(70) Regulation 151 was amended by S.R.s [2019 No. 35](#), [2020 No. 295](#), 2021 Nos. [50](#) and [85](#) and [2022 No. 201](#).

(71) Regulation 159 was inserted by [S.R. 2017 No. 7](#) and amended by [S.R 2020 No.79](#).

*Status: Point in time view as at 26/02/2024.*

*Changes to legislation: There are currently no known outstanding effects for the The Education (Student Support, etc.) (Amendment) Regulations (Northern Ireland) 2024. (See end of Document for details)*

<b>I52</b>	Reg. 42 in operation at 26.2.2024 with application in accordance with reg. 1(3)(4)(c)
<b>I53</b>	Reg. 43 in operation at 26.2.2024 with application in accordance with reg. 1(3)(4)(c)
<b>I54</b>	Reg. 44 in operation at 26.2.2024 with application in accordance with reg. 1(3)(4)(c)
<b>I55</b>	Reg. 45 in operation at 26.2.2024 with application in accordance with reg. 1(3)(4)(c)
<b>I56</b>	Reg. 46 in operation at 26.2.2024 with application in accordance with reg. 1(3)(4)(c)
<b>I57</b>	Reg. 47 in operation at 26.2.2024 with application in accordance with reg. 1(3)(4)(c)
<b>I58</b>	Reg. 48 in operation at 26.2.2024 with application in accordance with reg. 1(3)(4)(c)
<b>I59</b>	Reg. 49 in operation at 26.2.2024 with application in accordance with reg. 1(3)(4)(c)
<b>I60</b>	Reg. 50 in operation at 26.2.2024 with application in accordance with reg. 1(3)(4)(c)
<b>I61</b>	Reg. 51 in operation at 26.2.2024 with application in accordance with reg. 1(3)(4)(c)
<b>I62</b>	Reg. 52 in operation at 26.2.2024 with application in accordance with reg. 1(3)(4)(c)
<b>I63</b>	Reg. 53 in operation at 26.2.2024 with application in accordance with reg. 1(3)(4)(c)
<b>I64</b>	Reg. 54 in operation at 26.2.2024 with application in accordance with reg. 1(3)(4)(c)
<b>I65</b>	Reg. 55 in operation at 26.2.2024 with application in accordance with reg. 1(3)(4)(c)
<b>I66</b>	Reg. 56 in operation at 26.2.2024 with application in accordance with reg. 1(3)(4)(c)
<b>I67</b>	Reg. 57 in operation at 26.2.2024 with application in accordance with reg. 1(3)(4)(c)
<b>I68</b>	Reg. 58 in operation at 26.2.2024 with application in accordance with reg. 1(3)(4)(c)

## Amendments to the 2007 Regulations **N.I.**

**59.** In regulation 5 (prescribed description of a qualifying person)—

(a) after paragraph (1)(72) insert —

“(1ZA) Subject to paragraphs (1) and (1C), a qualifying person is a person who—

(a) falls within a settled category or a protected category—

(i) on the course start date, where the relevant academic year is the first academic

year of the person’s course, or

(ii) otherwise, on the first day of a relevant academic year;

(b) falls within a prescribed category on the first day of a relevant academic year.

(1ZB) Paragraph (1ZA) includes a person who undertakes a qualifying course in an academic year which began before 1st September 2024 but who nevertheless falls within a settled category, a protected category or a prescribed category on the first day of an academic year commencing on or after that date.”

(b) in paragraph (1A)(a), omit—

(i) “2A,”;

(ii) “4, 4A, 4B, 4C, 4D, 4E, 4F, 4G, 4H, 4I, 5,”;

(iii) “8A,”.

(c) in paragraph (6) for “Where” substitute “Subject to paragraphs 8 to 10 where”

(d) after paragraph (7) insert—

“(8) Where a protected category event occurs in relation to a person after the course start date, paragraph (9) applies for the purposes of determining whether the person falls within a prescribed category on the first day of the relevant academic year.

(9) The person is, for the purposes of determining whether they satisfy any requirement in Part 2 of the Schedule that they are ordinarily resident in the United Kingdom on the

(72) paragraph (1) was amended by S.R.s [2011 No. 376](#) and [2022 No. 201](#).

course start date, to be treated as if the person was, on the course start date, lawfully residing in the place where the person was residing on that date.

(10) For the purposes of this regulation—

“protected category” means any category of persons described in paragraph 4, 4A, 4B, 4C, 4D, 4E, 4F, 4G, 4H, 4I or 5 of Part 2 of the Schedule;

“protected category event” means —

- (a) the student or the student’s spouse, civil partner or parent is recognised as a refugee  
or becomes a person granted humanitarian protection or becomes a person granted  
stateless leave or becomes a person with leave to enter or remain on the grounds  
of  
discretionary leave;
- (b) the student becomes a person granted section 67 leave;
- (c) the student becomes a person granted Calais leave;
- (d) the student becomes a person granted indefinite leave to remain as a bereaved partner;
- (e) the student becomes a person granted indefinite leave to remain as a victim of domestic violence or domestic abuse;
- (f) the student or the student’s spouse, civil partner or parent becomes a person granted leave under one of the Afghan Schemes; or
- (g) the student or the student’s spouse, civil partner or parent becomes a person granted leave under one of the Ukraine Schemes.

“relevant academic year” means an academic year beginning on or after 1st September 2024;

“settled category” means any category of persons described in paragraph 2 or 8A of the Schedule.”.

#### Commencement Information

**I69** Reg. 59 in operation at 26.2.2024 with application in accordance with reg. 1(3)(4)(c)

## CHAPTER 10 **N.I.**

### Amendments to Family Members of Settled Persons

#### Amendments to the 2009 Regulations **N.I.**

**60.** In Part 2 of Schedule 2 (eligible students) (as amended by regulations 29 and 32 of these regulations)—

- (a) in paragraph 1(1) of the interpretation at sub-paragraph (e) of the definition of “family member”(73) for “paragraphs 9, 9B, 9C and 9D” substitute “paragraphs 9, 9B, 9D or for the purposes of paragraph 9C in relation to a person settled in the United Kingdom”;
- (b) in paragraph 9C(1)(a)(74), for “a United Kingdom national” substitute “settled in the United Kingdom”.

(73) “family member” was amended by S.R. 2010 No. 383 and S.R. 2021 No. 85.

(74) Paragraph 9C was inserted by S.R. 2021 No. 85

**Status:** Point in time view as at 26/02/2024.

**Changes to legislation:** There are currently no known outstanding effects for the The Education (Student Support, etc.) (Amendment) Regulations (Northern Ireland) 2024. (See end of Document for details)

#### Commencement Information

**I70** Reg. 60 in operation at 26.2.2024 with application in accordance with reg. 1(7)(b)

#### Amendments to the 2007 Regulations **N.I.**

**61.** In the Schedule (qualifying persons) (as amended by regulations 21, 30, and 34 of these regulations)—

- (a) in paragraph 1(1) of the interpretation at sub-paragraph (e) of the definition of “family member”(75) for “paragraphs 9, 9ZB, 9ZC and 9ZD” substitute “paragraphs 9, 9ZB, 9ZD or for the purposes of paragraph 9ZC in relation to a person settled in the United Kingdom”;
- (b) in paragraph 9ZC(1)(a)(76) for “a United Kingdom national” substitute “settled in the United Kingdom”.

#### Commencement Information

**I71** Reg. 61 in operation at 26.2.2024 with application in accordance with reg. 1(7)(b)

### CHAPTER 11 **N.I.**

#### Amendments to Relevant Institutions

#### Amendments to the 2009 Regulations **N.I.**

**62.** In regulation 2 (interpretation) ( as amended by regulations 10, 19 ,22, 31 and 35 of these regulations) in the definition of “relevant institution of higher education in the Republic of Ireland” for “an institution listed in Schedule 6” substitute “a publicly funded prescribed approved institution for the purposes of section 7 of the Student Support Act 2011(77)”;

**63.** Omit Schedule 6(78) to the 2009 Regulations (Relevant Institutions of Higher Education in the Republic of Ireland).

#### Commencement Information

**I72** Reg. 62 in operation at 26.2.2024, see [reg. 1\(2\)](#)

**I73** Reg. 63 in operation at 26.2.2024, see [reg. 1\(2\)](#)

#### Amendments to the 2007 Regulations **N.I.**

**64.** In regulation 5(7) (prescribed description of a qualifying person) (as amended by regulation 59 of these regulations) for “means an institution listed in Schedule 6 to the Student Support Regulations” substitute “has the same meaning as in the Student Support Regulations”.

(75) “family member” definition was amended by [S.R. 2011 No. 70](#) and [S.R. 2021 No. 85](#).

(76) Paragraph 9ZC was inserted by [S.R. 2021 No. 85](#)

(77) No. 4 of 2011

(78) Schedule 6 was amended by [S.R.s 2013 No. 223](#), [2014 No. 309](#), [2016 No. 21](#), [2017 No. 43](#), [2019 No.35](#), [2020 No. 79](#) and [S.R. 2021 No. 50](#).

#### Commencement Information

**174** Reg. 64 in operation at 26.2.2024, see [reg. 1\(2\)](#)

## CHAPTER 12 **N.I.**

### Miscellaneous

#### Amendments to the 2009 Regulations **N.I.**

**65.** In Regulation 5(3)(h)(**79**) (eligible students) (as amended by regulations 11 and 24 of these Regulations) for “another member state” substitute “a member state”.

**66.** In Regulation 39 (General qualifying conditions for grants for living and other costs) for paragraph (2)(**80**) substitute—

“(2) An eligible student does not qualify for a bursary or grant under this Part if the only paragraph or paragraphs in Part 2 of Schedule 2 into which the student falls is one or more of paragraphs 2A, 9, 9A, 9C or 9D.”

**67.** In Regulation 40(1) (Students who are treated as in attendance)—

- (a) in sub-paragraph (c) for “;” substitute “.”;
- (b) omit sub-paragraph (d).

**68.** In Regulation 57 (as amended by regulations 12 and 45 in these regulations) after the repealed paragraph (6) insert—

“(7) A current system student does not qualify for a maintenance grant if the current course is the graduate entry course.”

**69.** In Regulation 149(8)(**81**) (Eligible Master’s, etc. Students) for “and (12)” substitute “, (11E), (11F), (12), (12A) and (12C)”.

**70.** In paragraph 4A to Schedule 2 add the heading —

*“Persons granted section 67 leave”*

#### Commencement Information

**175** Reg. 65 in operation at 26.2.2024, see [reg. 1\(2\)](#)

**176** Reg. 66 in operation at 26.2.2024, see [reg. 1\(2\)](#)

**177** Reg. 67 in operation at 26.2.2024, see [reg. 1\(2\)](#)

**178** Reg. 68 in operation at 26.2.2024, see [reg. 1\(2\)](#)

**179** Reg. 69 in operation at 26.2.2024, see [reg. 1\(2\)](#)

**180** Reg. 70 in operation at 26.2.2024, see [reg. 1\(2\)](#)

#### Amendments to the 2007 Regulations **N.I.**

**71.** In regulation 2 in the definition of “Student Support Regulations” for “the Education (Student Support) Regulations (Northern Ireland) 2007” substitute “The Education (Student Support) (No. 2) Regulations (Northern Ireland) 2009”.

(79) Sub-paragraph (h) was inserted by [S.R. 2013 No. 128](#).

(80) Sub-paragraph (a) was amended by [S.R. 2021 No.85](#).

(81) Sub-Paragraph (8) was amended by [S.R. 2021 No. 50](#).



*Status: Point in time view as at 26/02/2024.*

*Changes to legislation: There are currently no known outstanding effects for the The Education (Student Support, etc.) (Amendment) Regulations (Northern Ireland) 2024. (See end of Document for details)*

#### Commencement Information

**181** Reg. 71 in operation at 26.2.2024, see [reg. 1\(2\)](#)

### CHAPTER 13 **N.I.**

#### Amendments to Loan Amounts

#### Amendments to the 2009 Regulations **N.I.**

**72.** The Schedule to these Regulations has effect to substitute the figure in the third column of the table for the figure in the second column where that figure appears in the provision of the Education (Student Support) (No. 2) Regulations (Northern Ireland) 2009 set out in the first column.

#### Commencement Information

**182** Reg. 72 in operation at 26.2.2024 with application in accordance with reg. 1(3)(4)(d)

### CHAPTER 14 **N.I.**

#### Savings

#### Savings: the 2009 Regulations **N.I.**

**73.** In this Chapter “earlier academic year” means an academic year beginning before 1<sup>st</sup> August 2024.

**74.** This regulation applies where an existing SSR Afghan scheme student (“S”) applies for support under the 2009 Regulations in respect of a new academic year of a relevant course (the “current course”).

**75.** For the purposes of determining whether S’s status as a relevant student terminates before the first day of the academic year of the current course in respect of which S is applying for support (see regulation 5, 105, 122, 139 and 149 of the 2009 Regulations (as the case may be)), the 2009 Regulations apply as if the amendments made by regulations 22, 23(a), 24(a), 25(a), 26(a), 27(a), 28(a) and 29(a) of these Regulations had not been made.

**76.** In this regulation—

“designated course”, “designated part-time course”, “designated postgraduate course”, “eligible student”, “eligible part-time student” and “eligible postgraduate student” have the meanings given in the 2009 Regulations;

“existing 2009 Regulations Afghan scheme student” means a student who the Secretary of State determined, by virtue of the student falling within paragraph (a)(ii) of the definition of “person granted leave under the Afghan Citizens Resettlement Scheme” in regulation 2(1) of the 2009 Regulations, or paragraph (a)(iv) of the definition of “person granted leave under the Afghan Relocations and Assistance Policy Scheme” in that regulation, to be a relevant student—

- (a) in connection with an application for support for an earlier academic year of the current course, or
- (b) in connection with an application for support for a relevant course from which the student’s status as an eligible student, eligible distance learning student, eligible part-time student, eligible postgraduate student or eligible Master’s etc. student has been transferred to the current course;



“relevant course” means a designated course, designated distance learning course, designated part-time course, designated postgraduate course or designated Master’s etc. course;

“relevant student” means an eligible student, eligible distance learning student, eligible part-time student, eligible postgraduate student or eligible Master’s Etc. student;

“the 2009 Regulations means the Education (Student Support) (No. 2) Regulations (Northern Ireland) 2009.”

#### **Commencement Information**

- I83** Reg. 73 in operation at 26.2.2024, see [reg. 1\(2\)](#)
- I84** Reg. 74 in operation at 26.2.2024, see [reg. 1\(2\)](#)
- I85** Reg. 75 in operation at 26.2.2024, see [reg. 1\(2\)](#)
- I86** Reg. 76 in operation at 26.2.2024, see [reg. 1\(2\)](#)

Sealed with the Official Seal of the Department for the Economy on 2nd February 2024.



*Mr Mark Lee*  
A senior officer of the Department for the  
Economy

**Status:** Point in time view as at 26/02/2024.

**Changes to legislation:** There are currently no known outstanding effects for the The Education (Student Support, etc.) (Amendment) Regulations (Northern Ireland) 2024. (See end of Document for details)

SCHEDULE **N.I.**

Regulation 72

**Commencement Information**

**187** Sch. in operation at 26.2.2024 with application in accordance with reg. 1(3)(4)(d)

**NEW PAYMENT RATES FOR FEE LOANS, GRANTS  
FOR FEES AND FEE CONTRIBUTION LOANS**

<i>Provision in the Education (Student Support) (No. 2) Regulations (Northern Ireland) 2009</i>	<i>Existing figure</i>	<i>New figure</i>
<b>Regulation 25</b>		
25(2A)(a)	£4,710	£4,750
25(2B)(a)	£2,340	£2,360
25(14)(b)(i)	£4,710	£4,750
<b>Regulation 110A</b>		
110A(1)(a)	£3,532.50	£3,562.50
<b>Regulation 117</b>		
117(4)(d)(i)	£3,532.50	£3,562.50
<b>Regulation 127A</b>		
127A(1)(a)	£3,532.50	£3,562.50
<b>Regulation 135</b>		
135(4A)(d)(i)	£3,532.50	£3,562.50
135(10B)(a)(i)	£3,532.50	£3,562.50
135(19)(a)(i)	£3,532.50	£3,562.50

**EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations amend legislation which makes provision about, or in connection with, student finance. Three sets of Student Support Regulations are amended. Those Regulations are the Education (Student Support) (No. 2) Regulations (Northern Ireland) 2009 “the 2009 Regulations”, the Student Fees (Amounts) Regulations (Northern Ireland) 2005 (“the 2005 Regulations”) and

the Student Fees (Qualifying Courses and Persons) Regulations (Northern Ireland) 2007 “the 2007 Regulations”.

These Regulations come into operation on 26th February 2024. But, subject to the savings in Chapter 14, some of the amendments made by these Regulations apply only in relation to a course which begins on or after 1st August 2024 (a “new course”), an academic year beginning on or after 1st August 2024 (a “new academic year”) or a new academic year of a course which begins on or after 1st August 2023 and before 1st August 2024 (an “existing course”). In particular:

- (a) the amendments made by the provisions specified in regulation 1(3) apply in relation to new academic years only;
- (b) the amendments made by the provisions specified in regulation 1(5) apply in relation to new courses and new academic years of existing courses;
- (c) the amendments made by provisions specified in regulation 1(6) apply in relation to new courses only.

Chapter 1 of these regulations amend the 2005 Regulations by increasing the basic and higher amounts prescribed in the 2005 Regulations. In each case the increases are by 0.9%, and will come into operation on 1st September 2024.

The 2005 Regulations prescribe the basic and higher amounts which higher education institutions in Northern Ireland may charge by way of tuition fees. Regulation 3 of the 2005 Regulations sets out the basic and higher amounts which ordinarily apply. Regulation 4 of the 2005 Regulations sets out the lower basic and higher amounts which apply in respect of an academic year of specified courses.

Chapter 2 of these regulations removes the tapering of DSA support on course conversion following the alignment of maximum Disabled Students’ Allowance (DSA) support levels.

Chapter 3 of these regulations amends the 2009 regulations to allow for support for designated Master’s etc. courses in the Republic of Ireland.

Chapter 4 of these regulations removes redundant references to ‘qualifying course’ and ‘qualifying students’.

Chapter 5 of these regulations ensures that courses are substantially provided in the UK or where appropriate the UK or the Republic of Ireland.

Chapter 6 of these regulations updates references to immigrations rules in both the 2009 and 2007 Regulations.

Chapter 7 of these regulations amends both the 2009 and the 2007 Regulations to update the categories of students who may be eligible for support to include certain family members of persons who are granted leave to enter or remain in the United Kingdom under an Afghan or Ukraine related immigration scheme.

Chapter 8 of these regulations amends both the 2009 and the 2007 Regulations to change the eligibility requirements for students who are in certain protection based categories (such as refugees and their family members, persons granted stateless leave and persons with Calais leave), so that they may qualify for support if they are ordinarily resident in Northern Ireland on the day on which the first term of the first academic year of their course actually begins.

Chapter 9 of these regulations amends both the 2009 and the 2007 Regulations update the rules determining the amount of support that a student is entitled to if they become eligible for support during the course of an academic year.

Chapter 10 of these regulations amends both the 2009 and the 2007 Regulations so that family members of all settled persons in the UK who are starting courses in 2024/25 qualify for support. This category of person must be ordinarily resident in the UK and Islands for three years before the start of their course in order to qualify for support. Previously, only family members of United Kingdom nationals qualified for support under this category.

**Status:** Point in time view as at 26/02/2024.

**Changes to legislation:** There are currently no known outstanding effects for the The Education (Student Support, etc.) (Amendment) Regulations (Northern Ireland) 2024. (See end of Document for details)

Chapter 11 of these regulations amends the definition of a relevant institution of higher education in the Republic of Ireland to clarify that it is a publicly funded prescribed approved institution for the purposes of section 7 of the Student Support Act 2011.

Chapter 12 makes minor technical amendments to the 2009 and 2007 Regulations.

Chapter 13 and the Schedule of these regulations makes amendments to the 2009 Regulations to update the payment rates for student support for an academic year which begins on or after 1st August 2024 (regulation 72 and the Schedule).

Chapter 14 of these regulations includes savings provisions so that family members of persons granted leave under one of the Afghan Schemes who have already qualified for support under the 2009 and 2007, can continue to qualify for support on that basis.

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

**Status:**

Point in time view as at 26/02/2024.

**Changes to legislation:**

There are currently no known outstanding effects for the The Education (Student Support, etc.) (Amendment) Regulations (Northern Ireland) 2024.