

SCHEDULE 1  
ELIGIBLE STUDENTS

PART 2  
Categories

**EC nationals**

9.—(1) A person who—

(a) is either—

- (i) an EC national on the first day of the first academic year of the course; or
- (ii) a family member of a such a person;

(b) is—

- (i) attending a designated course in Northern Ireland; or
- (ii) undertaking a designated part-time course or a designated postgraduate course in Northern Ireland;

(c) has been ordinarily resident in the territory comprising the European Economic Area and Switzerland throughout the three-year period preceding the first day of the first academic year of the course; and

(d) subject to sub-paragraph (2), whose ordinary residence in the territory comprising the European Economic Area and Switzerland has not during any part of the period referred to in paragraph (c) been wholly or mainly for the purpose of receiving full-time education.

(2) Paragraph (d) of sub-paragraph (1) does not apply to a person who is treated as being ordinarily resident in the territory comprising the European Economic Area and Switzerland in accordance with paragraph 1(4).

(3) Where a state accedes to the European Community after the first day of the first academic year of the course and a person is a national of that state or the family member of a national of that state, the requirement in paragraph (a) of sub-paragraph (1) to be an EC national on the first day of the first academic year of the course is treated as being satisfied.