
STATUTORY RULES OF NORTHERN IRELAND

2022 No. 75

The Education (Student Support, etc.)
(Amendment) Regulations (Northern Ireland) 2022

PART 2

CHAPTER 5

Eligibility of Afghan locally employed staff

Amendments to the 2009 Regulations

33. In regulation 2(1) (interpretation), at the appropriate place in the alphabetical order, insert—

““person granted leave under one of the Afghan Schemes” means a person granted leave under the Afghan Citizens Resettlement Scheme or a person granted leave under the Afghan Relocations and Assistance Policy Scheme;

“person granted leave under the Afghan Citizens Resettlement Scheme” means a person—

(a) who has—

- (i) indefinite leave to enter or remain in the United Kingdom, outside the Immigration Rules as defined in section 33(1) of the Immigration Act 1971⁽¹⁾ on the basis of the Afghan Citizens Resettlement Scheme; or
- (ii) indefinite leave to enter or remain in the United Kingdom, outside those rules, as the spouse, civil partner or dependent child of such a person, or dependent child of the spouse or civil partner; and

(b) who has been ordinarily resident in the United Kingdom and Islands throughout the period since the person was granted such leave;

“person granted leave under the Afghan Relocations and Assistance Policy Scheme” means a person—

(a) who has—

- (i) indefinite leave to enter the United Kingdom under paragraph 276BA2, or has indefinite leave to remain under paragraph 276BS2 of the Immigration Rules, having been relocated to the United Kingdom pursuant to paragraph 276BB1(iii)(a) of the Immigration Rules as defined in section 33(1) of the Immigration Act 1971,
- (ii) leave to enter the United Kingdom on the basis of the Afghan Relocations and Assistance Policy Scheme,
- (iii) indefinite leave to enter or remain, outside those rules, on the basis of the Afghan Relocations and Assistance Policy Scheme, or

(1) 1971 c. 77 to which there are amendments not relevant to this instrument.

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- (iv) leave to enter or indefinite leave to enter the United Kingdom as the spouse, civil partner or dependent child of such a person, or dependent child of the spouse or civil partner, having been granted that leave under paragraph 276BJ2 or 276BO2 of those rules; and
- (b) who has been ordinarily resident in the United Kingdom and Islands throughout the period since the person was granted such leave;”.