
STATUTORY RULES OF NORTHERN IRELAND

2024 No. 19

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

PART 2

CHAPTER 7

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

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 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)(1)(a), after “Afghan Schemes” insert “or the spouse, civil partner, child or step-child of such a person”;

- (b) in paragraph (11F)(2)(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)(3)(a), after “Afghan Schemes” insert “or the spouse, civil partner, child or step-child of such a person”;
- (b) in paragraph (11F)(4)(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)(5)(a), after “Afghan Schemes” insert “or the spouse, civil partner, child or step-child of such a person”;
- (b) in paragraph (10F)(6)(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)(7)(a), after “Afghan Schemes” insert “or the spouse, civil partner, child or step-child of such a person”;
- (b) in paragraph (12F)(8)(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)(9)(a), after “Afghan Schemes” insert “or the spouse, civil partner, child or step-child of such a person”;
- (b) in paragraph (11F)(10)(a), after “Ukraine Schemes” insert “or the spouse, civil partner, child or step-child of such a person”.

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

- (a) For paragraph 14(11) —
(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;

(2) paragraph 11F was inserted by [S.R. 2022 No. 201](#).
(3) paragraph 11E was inserted by [S.R. 2022 No. 75](#).
(4) paragraph 11F was inserted by [S.R. 2022 No. 201](#).
(5) paragraph 10E was inserted by [S.R. 2022 No. 75](#).
(6) paragraph 10F was inserted by [S.R. 2022 No. 201](#).
(7) paragraph 12E was inserted by [S.R. 2022 No. 75](#).
(8) paragraph 12F was inserted by [S.R. 2022 No. 201](#).
(9) paragraph 11E was inserted by [S.R. 2022 No. 75](#).
(10) paragraph 11F was inserted by [S.R. 2022 No. 201](#).
(11) paragraph 14 was inserted by [S.R. 2022 No. 75](#).

- (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;
 - (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

I1	Reg. 22 in operation at 26.2.2024 with application in accordance with reg. 1(5)(6)
I2	Reg. 23(a) in operation at 26.2.2024 with application in accordance with reg. 1(5)(6)
I3	Reg. 23(b) in operation at 26.2.2024 with application in accordance with reg. 1(3)(4)(b)
I4	Reg. 24(a) in operation at 26.2.2024 with application in accordance with reg. 1(5)(6)
I5	Reg. 24(b) in operation at 26.2.2024 with application in accordance with reg. 1(3)(4)(b)
I6	Reg. 25(a) in operation at 26.2.2024 with application in accordance with reg. 1(5)(6)
I7	Reg. 25(b) in operation at 26.2.2024 with application in accordance with reg. 1(3)(4)(b)
I8	Reg. 26(a) in operation at 26.2.2024 with application in accordance with reg. 1(5)(6)
I9	Reg. 26(b) in operation at 26.2.2024 with application in accordance with reg. 1(3)(4)(b)
I10	Reg. 27(a) in operation at 26.2.2024 with application in accordance with reg. 1(5)(6)
I11	Reg. 27(b) in operation at 26.2.2024 with application in accordance with reg. 1(3)(4)(b)
I12	Reg. 28(a) in operation at 26.2.2024 with application in accordance with reg. 1(5)(6)
I13	Reg. 28(b) in operation at 26.2.2024 with application in accordance with reg. 1(3)(4)(b)
I14	Reg. 29(a) in operation at 26.2.2024 with application in accordance with reg. 1(5)(6)
I15	Reg. 29(b) in operation at 26.2.2024 with application in accordance with reg. 1(3)(4)(b)

Amendments to the 2007 Regulations

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(12) (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;
 - (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(13) (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.

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

(13) paragraph 4I was inserted by [S.R. 2022 No. 75](#)

- (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

- I16** Reg. 30(1)(4) in operation at 26.2.2024, see [reg. 1\(2\)](#)
- I17** Reg. 30(2) in operation at 26.2.2024 with application in accordance with reg. 1(5)(6)
- I18** Reg. 30(3)(a) in operation at 26.2.2024 with application in accordance with reg. 1(5)(6)
- I19** Reg. 30(3)(b) in operation at 26.2.2024 with application in accordance with reg. 1(3)(4)(b)

Changes to legislation:

There are currently no known outstanding effects for the The Education (Student Support, etc.) (Amendment) Regulations (Northern Ireland) 2024, CHAPTER 7.