
STATUTORY RULES OF NORTHERN IRELAND

2024 No. 19

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

PART 2

CHAPTER 9

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

Amendments to the 2007 Regulations

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

(a) after paragraph (1)(1) 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

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

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

Changes to legislation:

There are currently no known outstanding effects for the The Education (Student Support, etc.) (Amendment) Regulations (Northern Ireland) 2024, Section 59.