STATUTORY RULES OF NORTHERN IRELAND

2026 No. 136

EDUCATION

The Education (Student Support) (Amendment No.2) Regulations (Northern Ireland) 2026

Made - - - -	*2nd July 2026*
Coming into operation on	*24th July 2026*

The Department for the Economy(**a**) in exercise of the powers conferred by Articles 3 and 8(4) of the Education (Student Support) (Northern Ireland) Order 1998(**b**) and Articles 4(8) and 14(4) of the Higher Education (Northern Ireland) Order 2005(**c**) makes the following Regulations.

Citation, commencement and application

1.—(1) These Regulations may be cited as the Education (Student Support) (Amendment No.2) Regulations (Northern Ireland) 2026 and come into operation on 24th July 2026.

(2) Regulation 9 (current system students with full entitlement) applies only in relation to the provision of support, and to fees and awards applicable, in relation to an academic year which begins on or after 1st August 2026, whether or not anything done under these Regulations is done before, on or after that date.

(3) In paragraph (2) 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.

(**a**) 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).

(**b**) 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

(**c**) S.I. 2005/1116 see Article 2(2) for definitions of "the Department", "prescribed" and "regulations".

Interpretation

2. In these Regulations —

(a) "the 2007 Regulations" means The Student Fees (Qualifying Courses and Persons) Regulations (Northern Ireland) 2007**(a);**

(b) "the 2009 Regulations" means the Education (Student Support) (No.2) Regulations (Northern Ireland) 2009(**b**).

Amendments to the 2007 Regulations

3. Regulations 4 and 5 amend the 2007 Regulations.

Amendment of regulation 5 to allow overstayers satisfying the immigration rules to retain eligible student status

4. In regulation 5(1D)(b) (prescribed description of a qualifying person), substitute—

"(b) either—

(i) further leave to remain has been granted, or paragraph SUI 13.1 of the immigration rules applies in respect of an application for such leave, or

(ii) the person whose leave to remain has expired has become a British or Irish citizen,".

Amendment of the Schedule (qualifying persons) to update references to the Ukraine Schemes

5. In paragraph 1(1) of the Schedule (qualifying persons)—

(a) in the definition of "person granted leave under the Ukraine Extension Scheme", in paragraph (a), after "immigration rules", insert ", as it had effect on the day such leave was granted";

(b) in the definition of "person granted leave under the Ukraine Family Scheme", in paragraph (a)(i), after "immigration rules", insert ", as it had effect on the day such leave was granted";

(c) in the definition of "person granted leave under the Ukraine Permission Extension Scheme", in paragraph (a), for "the Ukraine Permission Extension Scheme" substitute "paragraph UKR 36.1 of Appendix Ukraine Scheme of the immigration rules".

Amendment to the 2009 Regulations

6. Regulations 7 to 13 amend the 2009 Regulations.

Amendment to regulation 2(1) (interpretation) to update references of the Ukraine Schemes

7. In regulation 2(1) (interpretation)—

(a) in the definition of "person granted leave under the Ukraine Extension Scheme", in paragraph (a), after "immigration rules", insert ", as it had effect on the day such leave was granted";

(**a**) 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.

(**b**) 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, 2022 Nos. 75, 201 and 263, 2024 Nos. 19 and 157, 2025 No.32 and 2026 Nos. 56 and 87.

(b) in the definition of "person granted leave under the Ukraine Family Scheme", in paragraph (a)(i), after "immigration rules", insert ", as it had effect on the day such leave was granted";

(c) in the definition of "person granted leave under the Ukraine Permission Extension Scheme", in paragraph (a), for "the Ukraine Permission Extension Scheme" substitute "paragraph UKR 36.1 of Appendix Ukraine Scheme of the immigration rules".

Amendment of regulation 5 (eligible students) to allow overstayers satisfying the immigration rules to retain eligible student status

8. In regulation 5 (eligible students)—

(a) in paragraphs 11(b)(i), 11C(b)(i), 11G(b)(i) and 12(b)(i), at the end, insert "and paragraph SUI 13.1 of the immigration rules does not apply in respect of an application for such leave";

(b) for paragraph (11A)(b) substitute—

"(b) as at the day before the academic year in respect of which A is applying for support begins, the period for which the person granted section 67 leave is allowed to stay in the United Kingdom has expired and—

(i) no further leave to remain has been granted and paragraph SUI 13.1 of the immigration rules does not apply in respect of an application for such leave, and

(ii) that person has not become a British or Irish citizen,";

(c) for paragraph (11B)(b) substitute—

"(b) as at the day before the academic year in respect of which A is applying for support begins, the period for which A is allowed to stay in the United Kingdom has expired and—

(i) no further leave to remain has been granted and paragraph SUI 13.1 of the immigration rules does not apply in respect of an application for such leave, and

(ii) A has not become a British or Irish citizen,";

(d) for paragraph (11D)(b) substitute—

"(b) as at the day before the academic year in respect of which A is applying for support begins, the period for which the person granted stateless leave is allowed to stay in the United Kingdom has expired and—

(i) no further leave to remain has been granted and paragraph SUI 13.1 of the immigration rules does not apply in respect of an application for such leave, and

(ii) that person has not become a British or Irish citizen,";

(e) for paragraph (11E)(b) substitute—

"(b) as at the day before the academic year in respect of which A is applying for support begins, the period for which the person granted leave under one of the Afghan Schemes is allowed to stay in the United Kingdom has expired and—

(i) no further leave has been granted and paragraph SUI 13.1 of the immigration rules does not apply in respect of an application for such leave, and

(ii) that person has not become a British or Irish citizen,";

(f) for paragraph (11F)(b) substitute—

"(b) as at the day before the academic year in respect of which A is applying for support begins, the period for which the person granted leave under one of the Ukraine Schemes is allowed to stay in the United Kingdom has expired and—

(i) no further leave to enter or remain has been granted and paragraph SUI 13.1 of the immigration rules does not apply in respect of an application for such leave, and

(ii) that person has not become a British or Irish citizen,".

Amendment of regulation 66 (current system students with full entitlement)

9. In regulation 66(4) (current system students with full entitlement), substitute—

"(4) "the maintenance grant amount" is, unless otherwise stated—

(i) where the student qualifies under Chapter 6 of Part 5 for an amount of maintenance grant not exceeding £1,354, the amount of maintenance grant payable;

(ii) where the student qualifies under regulation 58(2) for an amount of maintenance grant exceeding £1,354 but less than £1,785, £1,700 less £1 in every complete £9.60 by which the household income exceeds £19,203;

(iii) where the student qualifies under regulation 58(2) for an amount of maintenance grant of £1,785, £1,700;

(iv) where the student qualifies under regulation 58(3) for an amount of maintenance grant exceeding £1,354 but less than £3,569, £2,685 less £1 in every complete £7.38 by which the household income exceeds £19,203;

(v) where the student qualifies under regulation 58(4) for an amount of maintenance grant exceeding £1,354 but less than £1,785, £1,575 less £1 in every complete £10.94 by which the household income exceeds £19,203;

(vi) where the student qualifies under regulation 58(4) for an amount of maintenance grant of £1,785, £1,575;

(vii) where the student qualifies under regulation 58(5) for an amount of maintenance grant exceeding £1,354 but less than £3,569, £1,901 less £1 in every complete £17.95 by which the household income exceeds £19,203;

(viii) where the student qualifies under Chapter 6 of Part 5 for an amount of maintenance grant of £3,569, £1,901; and

(ix) where no maintenance grant is payable, nil.".

Amendment of regulation 105 (eligible distance learning students) to allow overstayers satisfying the immigration rules to retain eligible student status

10. In regulation 105 (eligible distance learning students)—

(a) in paragraphs 11(b)(i), 11C(b)(i), 11G(b)(i) and 12(b)(i), at the end, insert "and paragraph SUI 13.1 of the immigration rules does not apply in respect of an application for such leave";

(b) for paragraph (11A)(b) substitute—

"(b) as at the day before the academic year in respect of which A is applying for support begins, the period for which the person granted section 67 leave is allowed to stay in the United Kingdom has expired and—

(i) no further leave to remain has been granted and paragraph SUI 13.1 of the immigration rules does not apply in respect of an application for such leave, and

(ii) that person has not become a British or Irish citizen,";

(c) for paragraph (11B)(b) substitute—

"(b) as at the day before the academic year in respect of which A is applying for support begins, the period for which A is allowed to stay in the United Kingdom has expired and—

(i) no further leave to remain has been granted and paragraph SUI 13.1 of the immigration rules does not apply in respect of an application for such leave, and

(ii) A has not become a British or Irish citizen,";

(d) for paragraph (11D)(b) substitute—

"(b) as at the day before the academic year in respect of which A is applying for support begins, the period for which the person granted stateless leave is allowed to stay in the United Kingdom has expired and—

(i) no further leave to remain has been granted and paragraph SUI 13.1 of the immigration rules does not apply in respect of an application for such leave, and

(ii) that person has not become a British or Irish citizen,";

(e) for paragraph (11E)(b) substitute—

"(b) as at the day before the academic year in respect of which A is applying for support begins, the period for which the person granted leave under one of the Afghan Schemes is allowed to stay in the United Kingdom has expired and—

(i) no further leave has been granted and paragraph SUI 13.1 of the immigration rules does not apply in respect of an application for such leave, and

(ii) that person has not become a British or Irish citizen,";

(f) for paragraph (11F)(b) substitute—

"(b) as at the day before the academic year in respect of which A is applying for support begins, the period for which the person granted leave under one of the Ukraine Schemes is allowed to stay in the United Kingdom has expired and—

(i) no further leave to enter or remain has been granted and paragraph SUI 13.1 of the immigration rules does not apply in respect of an application for such leave, and

(ii) that person has not become a British or Irish citizen,".

Amendment of regulation 122 (eligible part-time students) to allow overstayers satisfying the immigration rules to retain eligible student status

11. In regulation 122 (eligible part-time students)—

(a) in paragraphs 10(b)(i), 10C(b)(i), 10G(b)(i) and 11(b)(i), at the end, insert "and paragraph SUI 13.1 of the immigration rules does not apply in respect of an application for such leave";

(b) for paragraph (10A)(b) substitute—

"(b) as at the day before the academic year in respect of which A is applying for support begins, the period for which the person granted section 67 leave is allowed to stay in the United Kingdom has expired and—

(i) no further leave to remain has been granted and paragraph SUI 13.1 of the immigration rules does not apply in respect of an application for such leave, and

(ii) that person has not become a British or Irish citizen,";

(c) for paragraph (10B)(b) substitute—

"(b) as at the day before the academic year in respect of which A is applying for support begins, the period for which A is allowed to stay in the United Kingdom has expired and—

(i) no further leave to remain has been granted and paragraph SUI 13.1 of the immigration rules does not apply in respect of an application for such leave, and

(ii) A has not become a British or Irish citizen,";

(d) for paragraph (10D)(b) substitute—

"(b) as at the day before the academic year in respect of which A is applying for support begins, the period for which the person granted stateless leave is allowed to stay in the United Kingdom has expired and—

(i) no further leave to remain has been granted and paragraph SUI 13.1 of the immigration rules does not apply in respect of an application for such leave, and

(ii) that person has not become a British or Irish citizen,";

(e) for paragraph (10E)(b) substitute—

"(b) as at the day before the academic year in respect of which A is applying for support begins, the period for which the person granted leave under one of the Afghan Schemes is allowed to stay in the United Kingdom has expired and—

(i) no further leave has been granted and paragraph SUI 13.1 of the immigration rules does not apply in respect of an application for such leave, and

(ii) that person has not become a British or Irish citizen,";

(f) for paragraph (10F)(b) substitute—

"(b) as at the day before the academic year in respect of which A is applying for support begins, the period for which the person granted leave under one of the Ukraine Schemes is allowed to stay in the United Kingdom has expired and—

(i) no further leave to enter or remain has been granted and paragraph SUI 13.1 of the immigration rules does not apply in respect of an application for such leave, and

(ii) that person has not become a British or Irish citizen,".

Amendment of regulation 139 (eligible postgraduate students) to allow overstayers satisfying the immigration rules to retain eligible student status

12. In regulation 139 (eligible postgraduate students)—

(a) in paragraphs 12(b)(i), 12C(b)(i), 12G(b)(i) and 13(b)(i), at the end, insert "and paragraph SUI 13.1 of the immigration rules does not apply in respect of an application for such leave";

(b) for paragraph (12A)(b) substitute—

"(b) as at the day before the academic year in respect of which A is applying for support begins, the period for which the person granted section 67 leave is allowed to stay in the United Kingdom has expired and—

(i) no further leave to remain has been granted and paragraph SUI 13.1 of the immigration rules does not apply in respect of an application for such leave, and

(ii) that person has not become a British or Irish citizen,";

(c) for paragraph (12B)(b) substitute—

"(b) as at the day before the academic year in respect of which A is applying for support begins, the period for which A is allowed to stay in the United Kingdom has expired and—

(i) no further leave to remain has been granted and paragraph SUI 13.1 of the immigration rules does not apply in respect of an application for such leave, and

(ii) A has not become a British or Irish citizen,";

(d) for paragraph (12D)(b) substitute—

"(b) as at the day before the academic year in respect of which A is applying for support begins, the period for which the person granted stateless leave is allowed to stay in the United Kingdom has expired and—

(i) no further leave to remain has been granted and paragraph SUI 13.1 of the immigration rules does not apply in respect of an application for such leave, and

(ii) that person has not become a British or Irish citizen,";

(e) for paragraph (12E)(b) substitute—

"(b) as at the day before the academic year in respect of which A is applying for support begins, the period for which the person granted leave under one of the Afghan Schemes is allowed to stay in the United Kingdom has expired and—

(i) no further leave has been granted and paragraph SUI 13.1 of the immigration rules does not apply in respect of an application for such leave, and

(ii) that person has not become a British or Irish citizen,";

(f) for paragraph (12F)(b) substitute—

"(b) as at the day before the academic year in respect of which A is applying for support begins, the period for which the person granted leave under one of the Ukraine Schemes is allowed to stay in the United Kingdom has expired and—

(i) no further leave to enter or remain has been granted and paragraph SUI 13.1 of the immigration rules does not apply in respect of an application for such leave, and

(ii) that person has not become a British or Irish citizen,".

Amendment of regulation 149 (eligible Master's, etc. students) to allow overstayers satisfying the immigration rules to retain eligible student status

13. In regulation 149 (eligible Master's, etc. students)—

(a) in paragraphs 11(b)(i), 11C(b)(i), 11G(b)(i) and 12(b)(i), at the end, insert "and paragraph SUI 13.1 of the immigration rules does not apply in respect of an application for such leave";

(b) for paragraph (11A)(b) substitute—

"(b) as at the day before the academic year in respect of which A is applying for support begins, the period for which the person granted section 67 leave is allowed to stay in the United Kingdom has expired and—

(i) no further leave to remain has been granted and paragraph SUI 13.1 of the immigration rules does not apply in respect of an application for such leave, and

(ii) that person has not become a British or Irish citizen,";

(c) for paragraph (11B)(b) substitute—

"(b) as at the day before the academic year in respect of which A is applying for support begins, the period for which A is allowed to stay in the United Kingdom has expired and—

(i) no further leave to remain has been granted and paragraph SUI 13.1 of the immigration rules does not apply in respect of an application for such leave, and

(ii) A has not become a British or Irish citizen,";

(d) for paragraph (11D)(b) substitute—

"(b) as at the day before the academic year in respect of which A is applying for support begins, the period for which the person granted stateless leave is allowed to stay in the United Kingdom has expired and—

(i) no further leave to remain has been granted and paragraph SUI 13.1 of the immigration rules does not apply in respect of an application for such leave, and

(ii) that person has not become a British or Irish citizen,";

(e) for paragraph (11E)(b) substitute—

"(b) as at the day before the academic year in respect of which A is applying for support begins, the period for which the person granted leave under one of the Afghan Schemes is allowed to stay in the United Kingdom has expired and—

(i) no further leave has been granted and paragraph SUI 13.1 of the immigration rules does not apply in respect of an application for such leave, and

(ii) that person has not become a British or Irish citizen,";

(f) for paragraph (11F)(b) substitute—

"(b) as at the day before the academic year in respect of which A is applying for support begins, the period for which the person granted leave under one of the Ukraine Schemes is allowed to stay in the United Kingdom has expired and—

(i) no further leave to enter or remain has been granted and paragraph SUI 13.1 of the immigration rules does not apply in respect of an application for such leave, and

(ii) that person has not become a British or Irish citizen,".

Sealed with the Official Seal of the Department for the Economy on 2nd July 2026.

L.S.

Mr Graham Miller
A senior officer of the Department for the Economy

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend legislation which makes provision about, or in connection with, student finance. Those Regulations being amended are the Education (Student Support) (No. 2) Regulations (Northern Ireland) 2009 "the 2009 Regulations" and The Student Fees (Qualifying Courses and Persons) Regulations (Northern Ireland) 2007 "the 2007 Regulations".

These Regulations come into force on 24th July 2026, unless otherwise specified.

Regulation 4 amends the 2007 Regulations allow overstayers satisfying paragraph SUI 13.1 of the immigration rules to retain eligible student status.

Regulation 5 amends the 2007 Regulations to update references to the Ukraine Schemes following amendments made to the immigration rules.

Regulation 7 amends the 2009 Regulations to update references to the Ukraine Schemes following amendments made to the immigration rules.

Regulations 8 and 10 to 13 amend the 2009 Regulations to allow overstayers satisfying paragraph SUI 13.1 of the immigration rules to retain eligible student status.

Regulation 9 amends the 2009 Regulations to update payment rate calculations for student support for an academic year which begins on or after 1st August 2026.

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