EXPLANATORY MEMORANDUM TO

THE FURTHER EDUCATION (STUDENT SUPPORT) (ELIGIBILITY) (AMENDMENT) REGULATIONS (NORTHERN IRELAND) 2025

S.R. 2025 No. 20

1. Introduction

1.1 This Explanatory memorandum has been prepared by the Department for the Economy ("the Department") to accompany the Further Education (Student Support) (Eligibility) (Amendment) Regulations (Northern Ireland) 2025, which is laid before the Northern Ireland Assembly.

1.2 The Statutory Rule is made under Articles 3(1), 3(2) and 8(4) of the Education (Student Support) (Northern Ireland) Order 1998 and is subject to the negative resolution procedure.

1.3 The rule will come into operation in accordance with regulation 1 of these Regulations.

2. Purpose

This rule provides support for students taking designated further education courses in respect of the academic year beginning on or after 1st August 2025 and makes amendments to the Further Education (Student Support) (Eligibility) Regulations (Northern Ireland) 2012 (S.R. 2012 No.306) ("the Student Support Regulations").

The effect of the rule is to introduce the Ukraine Permission Extension Scheme as an eligible category of persons for student support.

The amending legislation will also correct a minor error in The Further Education (Student Support) (Eligibility) (Amendment) Regulations (Northern Ireland) 2024 (2024 No. 128) which was laid before the Assembly on 11 June 2024 and came into force on 1 August 2024.

3. Background

The rule makes provision for support available in relation to an academic year beginning on or after 1st August 2025 and amends some of the provisions in the 2012 Regulations.

The policy and technical changes effected by this rule are:

3.1 Introduce the Ukraine Permission Extension Scheme as an eligible category of persons for student support

Currently student support is available, on the same terms as Northern Irish domiciled students, to persons granted leave, by the Home Office, to remain here under one of the "Ukraine Schemes". The Ukraine Schemes currently comprise the Ukraine Family Scheme, the Homes for Ukraine Sponsorship Team, and the Ukraine Extension Scheme. However, these forms of leave are temporary and will begin to expire from March 2025.

In February 2024, the Home Office announced a new form of leave - the Ukraine Permission Extension Scheme - that will be available to those whose leave will expire under one of the current Ukraine Schemes.

To ensure that current and future students under the Ukraine Schemes can continue to avail of financial support to complete their studies even after their current schemes expire, we are seeking to extend Further Education (FE) student support to this new category of persons on the same terms. This change is not expected to increase the number of individuals accessing FE Student Support under the Ukraine Schemes category, rather it will ensure the continuation of support for those whose Ukraine Scheme leave expires.

3.2 Rectifying a minor error identified in The Further Education (Student Support) (Eligibility) (Amendment) Regulations (Northern Ireland) 2024

In reviewing The Further Education (Student Support) (Eligibility) (Amendment) Regulations (Northern Ireland) 2024 (2024 No. 128), laid before the Assembly on 11 June 2024 and which came into force on 1 August 2024, the Examiner identified an error, being that there was no explicit wording therein directly linking (in the provision) the amendment to the amended legislation. The Examiner noted, however, that the headings in the amendment directed one to the relevant legislation. FE Division committed to remedying this error through this next set of amending regulations.

4. Consultation

There is no statutory requirement to consult on those elements of these Regulations which do not give effect to policy changes but facilitate policy implementation or statutory obligations or where Executive commitment was given in relation to over-arching policy such as the ARAP and ACRS Schemes.

5. Equality Impact Assessment

A Section 75 Equality of Opportunity Screening exercise has been carried out and it is our view that the proposals will not have an adverse impact on any of

the Section 75 categories.

6. Rural Needs Impact Assessment

A Rural Needs Impact Assessment has been prepared.

7. Regulatory Impact Assessment

A Regulatory Impact Assessment has not been prepared for this rule as it has no adverse impact on business, charities or voluntary bodies.

8. Financial Implications

The numbers of students impacted by these changes is low and it is expected that there will not be any significant changes in budgets.

9. Section 24 of the Northern Ireland Act 1998

The Departmental Solicitor's Office has confirmed that the making of this rule complies with Section 24 of the NI Act.

10. EU Implications

Not applicable

11. Parity or Replicatory Measures

Similar technical amendments have been made in England. The corresponding English Statutory Instruments are The Education (Student Fees, Awards and Support) (Amendment) Regulations 2023 (2023 No. 74), Adds the Ukraine Extension Scheme and was laid before Parliament on 24 January 2023, coming into force on 16 February 2023..

12. Contact

Saul Wright at the Department for the Economy, Tel: 028 90 416891 or email: saul.wright@economy-ni.gov.uk can answer any queries regarding this Rule.