1981 No. 351

EDUCATION

Students Awards (Amendment) Regulations (Northern Ireland) 1981

Made . . . . . *29th October 1981*

Coming into operation . . . *29th November 1981*

The Department(**a**) of Education, in exercise of the powers conferred on it by Articles 39(1)(**b**) and (2)(**b**), 40(2)(**b**) and 125(1) of the Education and Libraries (Northern Ireland) Order 1972(**c**) and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation and commencement

1.—(1) These Regulations may be cited as the Students Awards (Amendment) Regulations (Northern Ireland) 1981.

(2) These Regulations shall come into operation on 29th November 1981 and shall have effect on and from 1st September 1981.

Amendment of Students Awards Regulations (Northern Ireland) 1981

2. The Students Awards Regulations (Northern Ireland) 1981(**d**) shall be amended as follows:—

(1) In Regulation 3(1) (Interpretation)—

(*a*) for the definition of ''course for the Diploma of Higher Education'' there shall be substituted—

'''course for the Diploma of Higher Education'' means a course provided by an institution for—

(*a*) the Diploma of Higher Education;

(*b*) the Diploma of Higher Education or a first degree course as the student may elect after the commencement of the course;'.

(*b*) for the definition of ''refugee'' there shall be substituted—

'''refugee'' means a person who is recognised by Her Majesty's government as a refugee within the meaning of the United Nations Convention relating to the Status of Refugees done at Geneva on 28th July 1951 as extended by the Protocol thereto which entered into force on 4th October 1967 or a person who, though not so recognised, enjoys asylum in the United Kingdom in pursuance of a decision of Her Majesty's government;'.

(2) In Schedule 2 (Persons)—

(*a*) at the end of paragraph 1(*d*) after ''Schedule 5'' there shall be added ''and''.

(*b*) after paragraph 1(*d*) there shall be added—

'(*e*) who, if he is a refugee and has previously attended a course such as is mentioned in paragraph 2(*c*)(ii)—

(i) has attended a course which was a full-time course provided by an establishment outside the British Islands; and

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(**a**) Formerly Ministry: *see* Northern Ireland Constitution Act 1973 (c. 36) Sch. 5 para. 8(1)
(**b**) As substituted by S.I. 1978/1040 (N.I. 10) Art. 6(1) and as amended by S.I. 1980/1958 (N.I. 16) Art. 7
(**c**) S.I. 1972/1263 (N.I. 12)
(**d**) S.R. 1981 No. 246

(ii) satisfies the board that he ceased to attend the course, without completing it, during the year immediately preceding his entry to the United Kingdom.'.

(*c*) at the end of paragraph 2(*c*) after "paragraph 1(*d*)" there shall be added "or 1(*e*);".

(3) In Schedule 7 (Requirements) in paragraph 17(4) of Part 3 for "paragraph 18 of these Regulations" there shall be substituted "paragraph 18 of this Part".

Sealed with the Official Seal of the Department of Education for Northern Ireland on 29th October 1981.

(L.S.) *R. T. Holmes*
Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Students Awards Regulations (Northern Ireland) 1981 by substituting a new definition of "refugee" so that the definition now includes a person who though not recognised by Her Majesty's government as a refugee within the meaning of the United Nations Convention relating to the Status of Refugees has been granted asylum in the United Kingdom.

By reason of paragraph 2(*c*)(ii) of Schedule 2 to the Students Awards Regulations (Northern Ireland) 1981 a person is not entitled to an award if he has previously, while abroad, attended a full-time course of a prescribed type. These Regulations remove this restriction on entitlement in the case of a refugee (within the meaning of the extended definition) who ceased to attend his previous course without completing it during the year preceding his entry to the United Kingdom.