
SCOTTISH STATUTORY INSTRUMENTS

2007 No. 152

The Education (Fees and Awards) (Scotland) Regulations 2007

PART III

POST-GRADUATE AGRICULTURAL STUDENTSHIPS

Scope of Part III

8. This Part shall have effect as respects the adoption by the Scottish Ministers of rules of eligibility for awards (however described) made by them in pursuance of section 4 of the Small Landholders (Scotland) Act 1911⁽¹⁾ and any reference in this Part to an award or a candidate for an award shall be construed accordingly.

Relevant connection with Scotland

9. For the purposes of this Part a candidate for an award has a relevant connection with Scotland if—

- (a) that student has been ordinarily resident there throughout the 3 year period immediately preceding the date of their application for an award;
- (b) that student's residence there during any part of that 3 year period has not been wholly or mainly for the purpose of receiving full-time education unless the person is settled as referred to in paragraph (c) as a result of residence for full-time education which has led to a right of permanent residence arising under Directive 2004/38 and that person was ordinarily resident in the territory comprising the European Economic Area and Switzerland immediately prior to the start of that period of residence; and
- (c) at the date referred to in paragraph (a) that student is settled in the United Kingdom within the meaning of the Immigration Act 1971 and, if not a British Citizen, enjoys in the United Kingdom the status of a Commonwealth Citizen.

Authorised eligibility rules

10. Subject to Schedules 2 and 3, it shall be lawful to adopt rules of eligibility for awards which confine the awards to candidates having a relevant connection with Scotland.