
SCOTTISH STATUTORY INSTRUMENTS

2007 No. 503

**The Education (Amendments in respect
of Graduate Endowment, Student Fees
and Support) (Scotland) Regulations 2007**

Amendment of the Education (Fees and Awards) (Scotland) Regulations 2007

2.—(1) The Education (Fees and Awards) (Scotland) Regulations 2007⁽¹⁾ are amended as follows.

(2) In regulation 2(1) (interpretation), insert in the appropriate place—

““child of an asylum seeker” means a person who is the child of an asylum seeker as defined in section 18 of the Nationality, Immigration and Asylum Act 2002⁽²⁾”;

““Turkish worker” means a Turkish national who—

- (a) is ordinarily resident in Scotland; and
- (b) is, or has been, lawfully employed in the United Kingdom;”;

““young asylum seeker” means an unaccompanied asylum-seeking child”.

(3) In Schedule 1 (fees – excepted students)—

(a) in paragraph 4, after sub-paragraph (2) insert—

“(3) Sub-paragraph (1)(a) does not apply where the person applying for support is a person falling within sub-paragraph (2)(a)(ii).”;

(b) after paragraph 7 insert—

“**7A.** A person shall be an excepted student if that person—

- (a) is the child of an asylum seeker or is a young asylum seeker;
- (b) is resident in Scotland on 1st August, 1st January, 1st April or 1st July closest to the beginning of the first term of the person’s course;
- (c) has been resident in Scotland throughout the 3 year period referred to in regulation 5(a);
- (d) was under 18 years old on the date when the application for asylum was made, which application must have been made prior to 1st December 2006; and
- (e) is under 25 years old on 1st August, 1st January, 1st April or 1st July closest to the beginning of the first term of the person’s course.”; and

(c) after paragraph 14 insert—

“**14A.** A person shall be an excepted student if that person—

- (a) is the child of a Turkish worker;
- (b) is ordinarily resident in Scotland on the first day of the first academic year of the course; and

(1) S.S.I. 2007/152.

(2) 2002 c. 41.

- (c) has been ordinarily resident in the territory comprising the European Economic Area, Switzerland and Turkey throughout the period of 3 years preceding the first day of the first academic year of the course.”.
- (4) In Schedule 2 (post-graduate agricultural studentships – excepted candidates)–
 - (a) in paragraph 4–
 - (i) omit sub-paragraph (1)(c); and
 - (ii) after sub-paragraph (2) insert–
 - “(3) Sub-paragraph (1)(a) does not apply where the person applying for support is a person falling within sub-paragraph (2)(a)(ii).”; and
 - (b) after paragraph 10 insert–
 - “**10A.** A person shall be an excepted candidate if that person–
 - (a) is the child of a Turkish worker;
 - (b) is ordinarily resident in Scotland on the first day of the first academic year of the course; and
 - (c) has been ordinarily resident in the territory comprising the European Economic Area, Switzerland and Turkey throughout the period of 3 years preceding the first day of the first academic year of the course.”.
- (5) In Schedule 3 (fees awards – excepted candidates)–
 - (a) in paragraph 3(3)(a) after “Switzerland” insert “and Turkey”; and
 - (b) in paragraph 5(a) after “Switzerland” insert “or Turkey”.