
STATUTORY INSTRUMENTS

2011 No. 1987

**The Education (Fees and Awards) (England)
Regulations 2007 (Amendment) Regulations 2011**

Amendment to the Education (Fees and Awards) (England) Regulations 2007

2. Paragraph 9 of Schedule 1 to the Education (Fees and Awards) (England) Regulations 2007⁽¹⁾ is amended as follows—

- (a) in sub-paragraph (1)(c), before “has been ordinarily resident”, insert “subject to sub-paragraph (1A),”;
- (b) after sub-paragraph (1), insert—

“(1A) Paragraph (c) of sub-paragraph (1) does not apply to a family member of an EC national where that EC national—

(a) is—

- (i) a United Kingdom national who has exercised a right to reside on the territory of another Member State under article 7(1) of Directive 2004/38;
or

(ii) not a United Kingdom national;

and

- (b) has been ordinarily resident in the territory comprising the European Economic Area, Switzerland and the overseas territories throughout the three-year period preceding the first day of the first academic year of the course.”.