
STATUTORY INSTRUMENTS

2024 No. 85

The Education (Student Fees, Awards and Support) (Amendment) Regulations 2024

PART 3

Corresponding amendments to other subordinate legislation

CHAPTER 6

The Education (Postgraduate Doctoral Degree Loans and the Education (Student Loans) (Repayment) (Amendment) (No. 2) etc.) Regulations 2018

Children of persons granted indefinite leave to enter or remain as a victim of domestic violence or domestic abuse or as a bereaved partner

51.—(1) In regulation 7 (students becoming eligible in the course of an academic year)(1), in paragraph (2)(g) and (i), after “the student” insert “or the student’s parent”.

(2) In Schedule 1—

- (a) in the heading to paragraph 5B (persons granted indefinite leave to enter or remain as a victim of domestic violence or domestic abuse)(2), at the end, insert “and their children”;
- (b) paragraph 5B becomes sub-paragraph (1) of that paragraph;
- (c) after that sub-paragraph (1) insert—

“(2) A person—

- (a) granted indefinite leave to enter or remain;
- (b) who—
 - (i) is the child of a person granted indefinite leave to enter or remain as a victim of domestic violence or domestic abuse; and
 - (ii) on the leave application date, was the child of the person granted indefinite leave to enter or remain as a victim of domestic violence or domestic abuse;
- (c) who was under 18 on the leave application date;
- (d) who has been ordinarily resident in the United Kingdom and Islands since the person was granted such leave; and
- (e) who is ordinarily resident in England on the course start date.

(3) In this paragraph, “leave application date” means the date on which a person granted indefinite leave to enter or remain as a victim of domestic violence or domestic abuse made an application to remain in the United Kingdom on those grounds under the immigration rules.”;

(1) Regulation 7 was substituted by [S.I. 2023/74](#).

(2) Paragraph 5B was inserted by [S.I. 2020/48](#) and amended by [S.I. 2023/74](#).

- (d) in the heading to paragraph 5D (persons granted indefinite leave to remain as a bereaved partner⁽³⁾), at the end, insert “and their children”;
- (e) paragraph 5D becomes sub-paragraph (1) of that paragraph;
- (f) after that sub-paragraph (1) insert—
 - “(2) A person—
 - (a) granted indefinite leave to remain;
 - (b) who—
 - (i) is the child of a person granted indefinite leave to remain as a bereaved partner; and
 - (ii) on the leave application date, was the child of the person granted indefinite leave to remain as a bereaved partner;
 - (c) who was under 18 on the leave application date;
 - (d) who has been ordinarily resident in the United Kingdom and Islands since the person was granted such leave; and
 - (e) who is ordinarily resident in England on the course start date.
 - (3) In this paragraph, “leave application date” means the date on which a person granted indefinite leave to remain as a bereaved partner made an application to remain in the United Kingdom on those grounds under the immigration rules.”.

(3) Paragraph 5D was inserted by [S.I. 2020/1203](#) and amended by [S.I. 2023/74](#).