

## SCHEDULE 1

### PERSONS ELIGIBLE FOR EDUCATION MAINTENANCE ALLOWANCES

4. A person who is the child of an EEA migrant worker and who—
  - (a) is entitled to the payment of an education maintenance allowance by virtue of Article 12 of the Free Movement Regulation or, where his or her migrant worker parent is a national of the United Kingdom, by virtue of an enforceable Community right to be treated no less favourably than the child of a national of another member State in relation to matters which are the subject of Article 12;
  - (b) has been ordinarily resident in the European Economic Area throughout the period of 3 years immediately preceding the qualifying date; and
  - (c) is ordinarily resident in the United Kingdom and Islands on the qualifying date.