

SCHEDULE 1

Regulation 3(1)

PERSONS ELIGIBLE FOR BURSARIES

1. A person who—
 - (a) is ordinarily resident in the area of the education authority on the qualifying day in relation to the course of study in respect of which he seeks a bursary; and
 - (b) has been ordinarily resident in the British Islands throughout the period of 3 years preceding the relevant date.
2. A person who—
 - (a) is entitled to equality of treatment in relation to the payment of a bursary for the course in respect of which he seeks the bursary by virtue of Article 7 or 12 of Council Regulation (EEC) No 1612/68 on freedom of movement for workers within the Community (which was extended to apply to the whole European Economic Area by the EEA Agreement)(1); and
 - (b) has been ordinarily resident in the European Economic Area throughout the period of 3 years immediately preceding the relevant date; and
 - (i) is ordinarily resident in the area of the education authority on the qualifying day in relation to the course in respect of which he seeks a bursary; or
 - (ii) is not ordinarily resident on that day in the area of any education authority in Scotland and seeks a bursary in respect of a course of study at an educational establishment in the area of the education authority.
3. A person who—
 - (a) at the date of the education authority receiving his application for a bursary is—
 - (i) a refugee who has been ordinarily resident in the British Islands at all times since he was first recognised as a refugee; or
 - (ii) the spouse, or child, of such a refugee; and
 - (b)
 - (i) is ordinarily resident in the area of the education authority on the qualifying date; or
 - (ii) seeks a bursary in respect of a course of study at an educational establishment in the area of the education authority.
4. A person who—
 - (a) is a national, or the child of a national, of a member state of the European Community;
 - (b) has been ordinarily resident in the European Economic Area throughout the period of 3 years immediately preceding the relevant date;
 - (c) has not been ordinarily resident in the British Islands throughout that 3 year period; and
 - (d) seeks a bursary in respect of a course of study at an establishment in the area of the education authority.
5. A person to whom, or in respect of whom, a bursary has been paid in accordance with these Regulations or those revoked by them within the year immediately preceding the relevant date.

(1) O.J. No L257, 19.10.68, p.2 (O.J./S.E 1968(II) p.475), amended by Council Regulation EEC No. 2434/92 (O.J. No. L245, 26.8.92 p.1).