
STATUTORY INSTRUMENTS

1997 No. 1972

The Education (Fees and Awards) Regulations 1997

Revocation and transitional provisions

- 8.**—(1) The following Regulations are revoked:
- (a) The Education (Fees and Awards) Regulations 1994(1);
 - (b) The Education (Fees and Awards) (Amendment) Regulations 1995(2); and
 - (c) The Education (Fees and Awards) (Amendment) Regulations 1996(3).
- (2) In any case where the relevant date is before 1st September 1998—
- (a) a requirement that a person be settled in the United Kingdom within the meaning of the Immigration Act 1971(4) shall not apply;
 - (b) a person shall be mentioned in the Schedule for the purposes of regulation 4 if—
 - (i) at the relevant date he is settled in the United Kingdom within the meaning of that Act, and
 - (ii) he neither had the right of abode in the United Kingdom nor was settled therein within the meaning of that Act at, or at a time before, the beginning of the three year period preceding that date; and
 - (c) the spouse of an EEA migrant worker who is not a national of a member State of the European Economic Area shall for the purposes of regulation 4 be subject to the residence conditions mentioned in paragraph 9 of the Schedule but the period of residence required shall be one year rather than three years.
- (3) In any case where the relevant date is before 1st September 2000 a person shall be mentioned in the Schedule for the purposes of regulation 4 if—
- (a) at the relevant date he is settled in the United Kingdom within the meaning of the Immigration Act 1971,
 - (b) he neither had the right of abode in the United Kingdom nor was settled therein within the meaning of that Act at, or at a time before, the beginning of the three year period preceding that date, and
 - (c) at any time during that three year period he was ordinarily resident in Hong Kong.

(1) S.I.1994/3042.

(2) S.I. 1995/1241.

(3) S.I. 1996/1640.

(4) 1971 c. 77; amended by the British Nationality Act 1981 (c. 61), section 39 and Schedule 4, by the Immigration Act 1988 (c. 14), sections 1, 3, 4, 6 and 10 and the Schedule, by the Asylum and Immigration Appeals Act 1993 (c. 23), sections 10 to 12.