
STATUTORY INSTRUMENTS

2010 No. 960

The Education (Student Support) (College of Europe) Regulations 2010

PART 1

GENERAL

Citation, commencement, application and interpretation

1. These Regulations may be cited as the Education (Student Support) (College of Europe) Regulations 2010 and come into force on the 22nd day after they are laid before Parliament.

2. These Regulations apply in relation to England⁽¹⁾.

3. In these Regulations—

“1998 Act” means the Teaching and Higher Education Act 1998;

“academic authority” means the governing body or other body having the functions of a governing body of the College and includes a person acting with the authority of that body;

“College” means the College of Europe;

“current course” means the designated course in respect of which a person is applying for support or to be recognised as an eligible student;

“designated course” has the meaning given by regulation 7;

“eligible student” has the meaning given by regulation 6;

“European Union” means the territory comprised of the Member States of the European Union as constituted from time to time;

“grants for living and other costs” means the grants payable under regulation 15;

“person with leave to enter or remain” means a person—

- (a) who has been informed by a person acting under the authority of the Secretary of State for the Home Department that, although that person is considered not to qualify for recognition as a refugee, it is thought right to allow that person to enter or remain in the United Kingdom;
- (b) who has been granted leave to enter or remain accordingly;
- (c) whose period of leave to enter or remain has not expired or has been renewed and the period for which it was renewed has not expired or in respect of whose leave to enter or remain an appeal is pending (within the meaning of section 104 of the Nationality, Immigration and Asylum Act 2002⁽²⁾); and

(1) In relation to Wales, the functions of the Secretary of State under section 22 of the Teaching and Higher Education Act 1998 were transferred to the National Assembly for Wales under section 44 of the Higher Education Act 2004 except so far as they relate to the making of any provision authorised by subsection (2)(a), (c), (j) or (k), (3)(e) or (f) or (5) of section 22.

(2) 2002, c. 41; section 104 was amended by the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (c.19), Schedule 2(1) paragraphs 20(a) and 20(b) and the Immigration, Asylum and Nationality Act 2006 (c.13), section 9.

(d) who has been ordinarily resident in the United Kingdom and Islands throughout the period since being granted leave to enter or remain;

“refugee” means a person who is recognised by Her Majesty’s government as a refugee within the meaning of the United Nations Convention relating to the Status of Refugees done at Geneva on 28th July 1951⁽³⁾ as extended by the Protocol thereto which entered into force on 4th October 1967⁽⁴⁾;

“relevant date” means 22nd May 2010;

“statutory award” means any award bestowed, grant paid or other support provided by virtue of the 1998 Act or the Education Act 1962⁽⁵⁾, or any comparable award, grant or other support in respect of undertaking a course which is paid out of public funds;

“student loans legislation” means the Education (Student Loans) Act 1990⁽⁶⁾, the Education (Student Loans) (Northern Ireland) Order 1990⁽⁷⁾, the Education (Scotland) Act 1980⁽⁸⁾ and regulations made thereunder, the Education (Student Support) (Northern Ireland) Order 1998⁽⁹⁾ and regulations made thereunder or the 1998 Act and regulations made thereunder;

“supplementary grants” means the grants payable under Chapter 2 of Part 4;

“Turkish worker” means a Turkish national who—

- (a) is ordinarily resident in the United Kingdom and Islands; and
- (b) is, or had been, lawfully employed in the United Kingdom.

4. These Regulations apply in relation to the provision of support to students only in relation to the academic year which begins on or after 1st September 2010 and before 1st September 2011 whether anything done under these Regulations is done before, on or after 1st September 2010.

(3) Cmnd. 9171.

(4) Cmnd. 3906 (out of print; photocopies are available free of charge, from the Student Finance Policy Division, Department for Business, Innovation and Skills, Mowden Hall, Staindrop Road, Darlington DL3 9BG).

(5) 1962 c. 12; sections 1 to 4 and Schedule 1 were substituted by the provision set out in Schedule 5 to the Education Act 1980 (c. 20). Section 1(3)(d) was amended by the Education (Grants and Awards) Act 1984 (c. 11), section 4. Section 4 was amended by the Education Act 1994 (c. 30), Schedule 2, paragraph 2. The entire Act was repealed by the Teaching and Higher Education Act 1998 (c. 30), section 44(2) and Schedule 4, subject to the transitional provisions and savings set out in the Teaching and Higher Education Act 1998 (Commencement No. 4 and Transitional Provisions) Order 1998 (S.I. 1998/3237), article 3.

(6) 1990 c. 6; repealed by the Teaching and Higher Education Act 1998 (c. 30), Schedule 4.

(7) S.I. 1990/1506 (N.I. 11); amended by S.I. 1996/274 (N.I. 1), Article 43 and Schedule 5 Part II, S.I. 1996/1918 (N.I. 15), Article 3 and the Schedule and S.I. 1998/258 (N.I. 1), Articles 3 to 6 and revoked, with savings, by SR (NI) 1998 No 306.

(8) 1980 c. 44.

(9) S.I. 1998/1760 (N.I. 14), to which there have been amendments not relevant to these Regulations.