

## SCHEDULE 1

Regulations 4, 120, 137 and 159

### ELIGIBLE STUDENTS

#### PART 1

##### Interpretation

#### 1.—(1) For the purposes of this Schedule—

<sup>F1</sup>  
...

“EEA frontier self-employed person” means an EEA national who—

- (a) is a self-employed person in England; and
- (b) resides in Switzerland or the territory of an EEA State <sup>F2</sup>... and returns to the national's residence in Switzerland or that EEA State, as the case may be, daily or at least once a week;

“EEA frontier worker” means an EEA national who—

- (a) is a worker in England; and
- (b) resides in Switzerland or the territory of an EEA State <sup>F2</sup>... and returns to the national's residence in Switzerland or that EEA State, as the case may be, daily or at least once a week;

“EEA migrant worker” means an EEA national who is a worker, other than an EEA frontier worker, in the United Kingdom;

“EEA national” means a national of an EEA State <sup>F2</sup>...;

“EEA self-employed person” means an EEA national who is a self-employed person, other than an EEA frontier self-employed person, in the United Kingdom;

“employed person” means an employed person within the meaning of Annex 1 to the Swiss Agreement;

“European Economic Area” means the area comprised by the EEA States;

[<sup>F3</sup>“evacuated or assisted British national from Afghanistan” means a person—

- (a) who is a British citizen, a British overseas territories citizen, a British National (Overseas), a British Overseas citizen, a British subject under the British Nationality Act 1981 or a British protected person within the meaning of that Act;
- (b) who was either—
  - (i) evacuated from Afghanistan by or on behalf of the United Kingdom, a North Atlantic Treaty Organisation member state, Pakistan, Uzbekistan, Tajikistan, Iran or Qatar during the period of the operation known as Operation Pitting, which began on 14th August 2021 and ended on 28th August 2021; or
  - (ii) assisted by or on behalf of the United Kingdom, after 28th August 2021 and before 6th January 2022, to leave Afghanistan; and
- (c) who has been ordinarily resident in the United Kingdom and Islands since they were evacuated from or otherwise left Afghanistan;]

unless otherwise indicated, “family member” means—

- (a) in relation to an EEA frontier worker, an EEA migrant worker, an EEA frontier self-employed person [<sup>F4</sup>, an EEA self-employed person, or a relevant person of Northern

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Ireland who is treated as an EEA migrant worker or an EEA self-employed person by virtue of paragraph 6A(3)]—

- (i) that person's spouse or civil partner;
- (ii) direct descendants of the person or of the person's spouse or civil partner who are—
  - (aa) under the age of 21, or
  - (bb) dependents of the person or the person's spouse or civil partner; or
  - (iii) dependent direct relatives in the ascending line of that person or that of the person's spouse or civil partner;
- (b) in relation to a Swiss employed person, a Swiss frontier employed person, a Swiss frontier self-employed person or a Swiss self-employed person—
  - (i) that person's spouse or civil partner; or
  - (ii) that person's child or the child of that person's spouse or civil partner;
- (c) in relation to an EU national who falls within article 7(1)(c) of Directive 2004/38 [<sup>F5</sup>or, for the purposes of paragraph 9A, in relation to a relevant person of Northern Ireland who would fall within article 7(1)(c) of Directive 2004/38 if that person were an EU national or solely an EU national]—
  - (i) that person's spouse or civil partner; or
  - (ii) direct descendants of the person or of the person's spouse or civil partner who are—
    - (aa) under the age of 21; or
    - (bb) dependants of the person or the person's spouse or civil partner;
- (d) in relation to an EU national who falls within article 7(1)(b) of Directive 2004/38 [<sup>F6</sup>or, for the purposes of paragraph 9A, in relation to a relevant person of Northern Ireland who would fall within article 7(1)(b) of Directive 2004/38 if that person were an EU national or solely an EU national]—
  - (i) that person's spouse or civil partner;
  - (ii) direct descendants of the person or of the person's spouse or civil partner who are—
    - (aa) under the age of 21; or
    - (bb) dependants of the person or the person's spouse or civil partner; or
    - (iii) dependent direct relatives in the person's ascending line or that of the person's spouse or civil partner;
- (e) in relation to a United Kingdom national, for the purposes of [<sup>F7</sup>paragraphs 9, 9B, 9D or for the purposes of paragraph 9C in relation to a person settled in the United Kingdom] —
  - (i) the person's spouse or civil partner; or
  - (ii) direct descendants of the person or the person's spouse or civil partner who are—
    - (aa) under the age of 21; or
    - (bb) dependants of the person or the person's spouse or civil partner;

[<sup>F8</sup>“overseas territories” means Anguilla; Aruba; Bermuda; British Antarctic Territory; British Indian Ocean Territory; British Virgin Islands; Cayman Islands; Falkland Islands; Faroe Islands; French Polynesia; French Southern and Antarctic Territories; Gibraltar; Mayotte; Greenland; Montserrat; Netherlands Antilles (Bonaire, Curaçao, Saba, Sint Eustatius, Sint Maarten); Pitcairn, Henderson, Ducie and Oeno Islands; South Georgia and the South Sandwich Islands; St Barthélemy; St Helena and Dependencies (Ascension Island and Tristan da Cunha); St Pierre et Miquelon; the Territory of New Caledonia and Dependencies; Turks and Caicos Islands; and Wallis and Futuna;]

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F1  
...

F1  
...

“self-employed person” means—

- (a) in relation to an EEA national, a person who is self-employed within the meaning of article 7 of Directive 2004/38 or the EEA Agreement, as the case may be; or
- (b) in relation to a Swiss national, a person who is a self-employed person within the meaning of Annex 1 to the Swiss Agreement;

“settled” has the meaning given by section 33(2A) of the Immigration Act 1971 <sup>M1</sup>;

[<sup>F9</sup>“specified British overseas territories” means Anguilla; Bermuda; British Antarctic Territory; British Indian Ocean Territory; British Virgin Islands; Cayman Islands; Falkland Islands; Gibraltar; Montserrat; Pitcairn, Henderson, Ducie and Oeno Islands; South Georgia and the South Sandwich Islands; St Helena and Dependencies (Ascension Island and Tristan da Cunha); and Turks and Caicos Islands;]

“Swiss Agreement” means the Agreement between the EU and its Member States, of the one part, and the Swiss Confederation, of the other, on the Free Movement of Persons signed at Luxembourg on 21st June 1999 <sup>M2</sup> and which came into force on 1st June 2002;

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...

“Swiss employed person” means a Swiss national who is an employed person, other than a Swiss frontier employed person, in the United Kingdom;

“Swiss frontier employed person” means a Swiss national who—

- (a) is an employed person in England; and
- (b) resides in Switzerland or in the territory of an EEA State <sup>F2</sup>... and returns to the national's residence in Switzerland or that EEA State, as the case may be, daily or at least once a week;

“Swiss frontier self-employed person” means a Swiss national who—

- (a) is a self-employed person in England; and
- (b) resides in Switzerland or in the territory of an EEA State <sup>F10</sup>... and returns to the national's residence in Switzerland or that EEA State, as the case may be, daily or at least once a week;

“Swiss self-employed person” means a Swiss national who is a self-employed person, other than a Swiss frontier self-employed person, in the United Kingdom

[<sup>F11</sup>“United Kingdom national” has the meaning given by Article 2(d) of the EU withdrawal agreement;]

“worker” means a worker within the meaning of article 7 of Directive 2004/38 or the EEA Agreement as the case may be.

[<sup>F12</sup>(1A) For the purposes of this Schedule, a reference to a “Member State” or “State” in Article 7 of Directive 2004/38 is to be read as including the United Kingdom.]

(2) For the purposes of this Schedule, “parent” [<sup>F13</sup>means a parent, guardian or] any other person having parental responsibility and “child” is to be construed accordingly.

[<sup>F14</sup>(2A) For the purposes of this Schedule, a person is not to be treated as ordinarily resident in a place unless that person lawfully resides in that place.]

(3) For the purposes of this Schedule, a person who is ordinarily resident in England, Wales, Scotland, Northern Ireland or the Islands, as a result of having moved from another of those areas for the purpose of undertaking—

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- (a) the current course; or
- (b) a course which, disregarding any intervening vacation, the person undertook immediately before undertaking the current course,

is to be considered to be ordinarily resident in the place from which the person moved.

[<sup>F15</sup>(4) For the purposes of this Schedule, a person (“A”) is to be treated as ordinarily resident in an area if A would have been so resident but for the fact that—

- (a) A;
- (b) A’s spouse or civil partner;
- (c) A’s parent; or,
- (d) in the case of a dependent direct relative in the ascending line, A’s child or child’s spouse or civil partner,

is or was temporarily employed outside the area in question.]

[<sup>F16</sup>(5) For the purposes of sub-paragraph (4), temporary employment outside the area in question includes—

- (a) in the case of members of the regular naval, military or air forces of the Crown, any period which they serve outside the United Kingdom as members of such forces;
- (b) in the case of members of the regular armed forces of a specified British overseas territory, any period which they serve outside the territory comprising the United Kingdom and the specified British overseas territories as members of such forces;
- (c) in the case of members of the regular armed forces of the Republic of Ireland, any period which they serve outside the territory comprising the United Kingdom, the Islands and the Republic of Ireland as members of such forces;
- (d) in the case of members of the regular armed forces of an EEA State or Switzerland, any period which they serve outside the territory comprising the United Kingdom, Gibraltar, the European Economic Area and Switzerland as members of such forces;
- (e) in the case of members of the regular armed forces of Turkey, any period which they serve outside the territory comprising the United Kingdom, Gibraltar, the European Economic Area, Switzerland and Turkey as members of such forces; and
- (f) in the case of members of the regular armed forces of an EU overseas territory, any period which they serve outside the territory comprising the United Kingdom, the European Economic Area, Switzerland and the overseas territories.]

(6) For the purposes of this Schedule an area [<sup>F17</sup>other than the United Kingdom or Gibraltar] which —

- (a) was previously not part of the EU or the European Economic Area; but
- (b) at any time before or after these Regulations come into force has become part of one or other or both of these areas,

is to be considered to have always been a part of the European Economic Area.

(7) For the purposes of this Schedule, an eligible prisoner is to be considered ordinarily resident in the part of the United Kingdom where the prisoner resided prior to sentencing.

**F1** Words in [Sch. 1 para. 1\(1\)](#) omitted (1.3.2021) by virtue of [The Education \(Student Fees, Awards and Support\) \(Amendment\) Regulations 2021 \(S.I. 2021/127\)](#), regs. 1(1), **25(2)(a)(i)**

**F2** Words in [Sch. 1 para. 1\(1\)](#) omitted (31.12.2020) by virtue of [The Education \(Student Fees, Awards and Support\) \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1181\)](#), regs. 1(3), **11(2)(a)(i)**

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- F3** Words in Sch. 1 para. 1(1) inserted (with application in accordance with reg. 1(3)(a) of the amending S.I.) by The Education (Student Fees, Awards and Support) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/534), regs. 1(1), **3(4)(a)**
- F4** Words in Sch. 1 para. 1(1) substituted (1.3.2021) by The Education (Student Fees, Awards and Support) (Amendment) Regulations 2021 (S.I. 2021/127), regs. 1(1), **25(2)(a)(ii)(aa)**
- F5** Words in Sch. 1 para. 1(1) inserted (1.3.2021) by The Education (Student Fees, Awards and Support) (Amendment) Regulations 2021 (S.I. 2021/127), regs. 1(1), **25(2)(a)(ii)(bb)**
- F6** Words in Sch. 1 para. 1(1) inserted (1.3.2021) by The Education (Student Fees, Awards and Support) (Amendment) Regulations 2021 (S.I. 2021/127), regs. 1(1), **25(2)(a)(ii)(cc)**
- F7** Words in Sch. 1 para. 1(1) substituted (with application in accordance with reg. 1(3)(d) of the amending S.I.) by The Education (Student Fees, Awards and Support) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1348), regs. 1(1), **11(10)(a)(i)**
- F8** Words in Sch. 1 para. 1(1) inserted (with application in accordance with reg. 1(3)(d) of the amending S.I.) by The Education (Student Fees, Awards and Support) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1348), regs. 1(1), **11(10)(a)(ii)**
- F9** Words in Sch. 1 para. 1(1) inserted (with application in accordance with reg. 1(3)(d) of the amending S.I.) by The Education (Student Fees, Awards and Support) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1348), regs. 1(1), **11(10)(a)(iii)**
- F10** Words in Sch. 1 para. 1(1) omitted (31.12.2020) by virtue of The Education (Student Fees, Awards and Support) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1181), regs. 1(3), **11(2)(a)(iii)**
- F11** Words in Sch. 1 para. 1(1) inserted (1.3.2021) by The Education (Student Fees, Awards and Support) (Amendment) Regulations 2021 (S.I. 2021/127), regs. 1(1), **25(2)(a)(iii)**
- F12** Sch. 1 para. 1(1A) inserted (1.3.2021) by The Education (Student Fees, Awards and Support) (Amendment) Regulations 2021 (S.I. 2021/127), regs. 1(1), **25(2)(b)**
- F13** Words in Sch. 1 para. 1(2) substituted (1.8.2012) by The Education (Student Fees, Awards and Support) (Amendment) Regulations 2012 (S.I. 2012/1653), regs. 1(3), **36(a)**
- F14** Sch. 1 para. 1(2A) inserted (1.8.2012) by The Education (Student Fees, Awards and Support) (Amendment) Regulations 2012 (S.I. 2012/1653), regs. 1(3), **36(b)**
- F15** Sch. 1 para. 1(4) substituted (with application in accordance with reg. 1(3)(d) of the amending S.I.) by The Education (Student Fees, Awards and Support) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1348), regs. 1(1), **11(10)(b)**
- F16** Sch. 1 para. 1(5) substituted (with application in accordance with reg. 1(3)(d) of the amending S.I.) by The Education (Student Fees, Awards and Support) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1348), regs. 1(1), **11(10)(c)**
- F17** Words in Sch. 1 para. 1(6) inserted (31.12.2020) by The Education (Student Fees, Awards and Support) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1181), regs. 1(3), **11(2)(c)**

#### Marginal Citations

- M1** 1971 c. 77; section 33(2A) was inserted by paragraph 7 of Schedule 4 to the British Nationality Act 1981 (c.61).
- M2** Cm. 4904.

## PART 2

### Categories

#### [<sup>F18</sup>Persons who are settled in the United Kingdom

2.—(1) A person—

- (a) who on the first day of the first academic year of the course—

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[<sup>F19</sup>(i) is settled in the United Kingdom and does not fall within paragraph 3;]

(ii) is ordinarily resident in England;

(iii) has been ordinarily resident in the United Kingdom and Islands throughout the three-year period preceding the first day of the first academic year of the course; and

(b) subject to sub-paragraph (2), whose residence in the United Kingdom and Islands has not during any part of the period referred to in sub-paragraph (a)(iii) been wholly or mainly for the purpose of receiving full-time education.

(2) Paragraph (b) of sub-paragraph (1) does not apply to a person who is treated as being ordinarily resident in the United Kingdom and Islands in accordance with paragraph 1(4).]

**F18** Sch. 1 para. 2 substituted (3.3.2017) by [The Education \(Student Fees, Awards and Support\) \(Amendment\) Regulations 2017 \(S.I. 2017/114\)](#), regs. 1(2), **24(a)**

**F19** Sch. 1 para. 2(1)(a)(i) substituted (1.3.2021) by [The Education \(Student Fees, Awards and Support\) \(Amendment\) Regulations 2021 \(S.I. 2021/127\)](#), regs. 1(1), **25(3)**

[<sup>F20</sup>**2A.**—(1) A person—

(a) who is settled in the United Kingdom [<sup>F21</sup>on the day on which the first term of the first academic year actually begins] and does not fall within paragraph 3;

(b) who is —

(i) attending or undertaking a designated course in England; or

(ii) undertaking an intensive course, designated part-time course or a designated postgraduate course in England;

(c) who has been ordinarily resident in the territory comprising the United Kingdom, the Islands and the Republic of Ireland throughout the three-year period preceding the first day of the first academic year of the course [<sup>F22</sup>and who has been ordinarily resident in the Republic of Ireland for least part of that period];

(d) subject to sub-paragraph (2), whose ordinary residence in the territory comprising the United Kingdom, the Islands and the Republic of Ireland has not during any part of the period referred to in paragraph (c) been wholly or mainly for the purpose of receiving full-time education; [<sup>F23</sup>and]

[ who did not move to England from the Islands for the purpose of undertaking the current <sup>F24</sup>(e) course, or a course which, disregarding any intervening vacation, the person undertook immediately before the current course.]

(2) Paragraph (d) of sub-paragraph (1) does not apply to a person who is treated as being ordinarily resident in the territory comprising the United Kingdom, the Islands and the Republic of Ireland in accordance with paragraph 1(4).]

**F20** Sch. 1 para. 2A inserted (1.3.2021) by [The Education \(Student Fees, Awards and Support\) \(Amendment\) Regulations 2021 \(S.I. 2021/127\)](#), regs. 1(1), **25(4)**

**F21** Words in Sch. 1 para. 2A(1)(a) substituted (1.9.2021) by [The Education \(Student Fees, Awards and Support\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/929\)](#), regs. 1(1), **7(a)(i)**

**F22** Words in Sch. 1 para. 2A(1)(c) inserted (1.9.2021) by [The Education \(Student Fees, Awards and Support\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/929\)](#), regs. 1(1), **7(a)(ii)**

**F23** Word moved from Sch. 1 para. 2A(1)(c) to Sch. 1 para. 2A(1)(d) (1.9.2021) by [The Education \(Student Fees, Awards and Support\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/929\)](#), regs. 1(1), **7(a)(ii)**

**F24** Sch. 1 para. 2A(1)(e) inserted (1.9.2021) by The Education (Student Fees, Awards and Support) (Amendment) (No. 2) Regulations 2021 (S.I. 2021/929), regs. 1(1), 7(a)(iii)

3.—(1) A person who—

<sup>F25</sup>(a) meets one of the following conditions—

(i) the person is within the personal scope of the citizens’ rights provisions and is settled in the United Kingdom by virtue of the grant of indefinite leave to enter or remain under residence scheme immigration rules;

(ii) the person—

(aa) is within the personal scope of the citizens’ rights provisions;

(bb) is an Irish citizen settled in the United Kingdom who, pursuant to section 3ZA of the Immigration Act 1971, does not require leave to enter or remain in the United Kingdom; and

(cc) would meet the eligibility requirements for indefinite leave to enter or remain in the United Kingdom granted by virtue of residence scheme immigration rules if that person were to make an application for such leave;

<sup>F26</sup>(iii) . . . . .

(iv) the person—

(aa) is within the personal scope of the citizens’ rights provisions;

(bb) is an applicant for the purposes of regulation 4 of the 2020 Citizens’ Rights Regulations [<sup>F27</sup>or otherwise has rights deemed to apply by virtue of any of the citizens’ rights provisions specified in paragraph (3)]; and

(cc) has, or is treated as having, a right of permanent residence for the purposes of the Immigration (European Economic Area) Regulations 2016, as those Regulations continue to have effect by virtue of the 2020 Citizens’ Rights Regulations in relation to that person during the relevant period [<sup>F28</sup>or otherwise has a deemed right of permanent residence by virtue of any of the citizens’ rights provisions specified in paragraph (3)]; or

(v) the person is a family member of a relevant person of Northern Ireland for the purposes of residence scheme immigration rules, where that family member is settled in the United Kingdom by virtue of the grant of indefinite leave to enter or remain under residence scheme immigration rules;]

(b) is ordinarily resident in England on the first day of the first academic year of the course;

(c) has been ordinarily resident in the United Kingdom and Islands throughout the three-year period preceding the first day of the first academic year of the course; and

(d) in a case where the person's ordinary residence referred to in paragraph (c) was wholly or mainly for the purpose of receiving full-time education, was [<sup>F29</sup>ordinarily resident immediately before the period of ordinary residence referred to in paragraph (c) in the territory comprising—

(i) the United Kingdom, Gibraltar, the European Economic Area and Switzerland; or

(ii) the overseas territories.]

[<sup>F30</sup>(2) For the purposes of sub-paragraph (1)(a)(ii)(cc), “eligibility requirements for indefinite leave to enter or remain in the United Kingdom granted by virtue of residence scheme immigration rules” means the eligibility requirements for such leave in accordance with paragraph EU11 of Appendix EU to the immigration rules (as defined in section 33(1) of the Immigration Act 1971).]

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[<sup>F31</sup>(3) For the purposes of sub-paragraph (1)(a)(iv), the citizens' rights provisions referred to are—

- (a) Article 18(3) (issuance of residence documents) of the EU withdrawal agreement;
- (b) Article 17(3) (issuance of residence documents) of the EEA EFTA separation agreement (as defined in section 39(1) of the European Union (Withdrawal Agreement) Act 2020); or
- (c) Article 16(3) (issuance of residence documents) of the Swiss citizens' rights agreement.]

<b>F25</b>	Sch. 1 para. 3(1)(a) substituted (1.3.2021) by <a href="#">The Education (Student Fees, Awards and Support) (Amendment) Regulations 2021 (S.I. 2021/127)</a> , regs. 1(1), <b>25(5)(a)</b>
<b>F26</b>	Sch. 1 para. 3(1)(a)(iii) omitted (with application in accordance with reg. 1(3)(e) of the amending S.I.) by virtue of <a href="#">The Education (Student Fees, Awards and Support) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1348)</a> , regs. 1(1), <b>12(3)</b>
<b>F27</b>	Words in Sch. 1 para. 3(1)(a)(iv)(bb) inserted (1.9.2021) by <a href="#">The Education (Student Fees, Awards and Support) (Amendment) (No. 2) Regulations 2021 (S.I. 2021/929)</a> , regs. 1(1), <b>7(b)(i)</b>
<b>F28</b>	Words in Sch. 1 para. 3(1)(a)(iv)(cc) inserted (1.9.2021) by <a href="#">The Education (Student Fees, Awards and Support) (Amendment) (No. 2) Regulations 2021 (S.I. 2021/929)</a> , regs. 1(1), <b>7(b)(ii)</b>
<b>F29</b>	Words in Sch. 1 para. 3(1)(d) substituted (with application in accordance with reg. 1(3)(d) of the amending S.I.) by <a href="#">The Education (Student Fees, Awards and Support) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1348)</a> , regs. 1(1), <b>11(10)(d)</b>
<b>F30</b>	Sch. 1 para. 3(2) inserted (1.3.2021) by <a href="#">The Education (Student Fees, Awards and Support) (Amendment) Regulations 2021 (S.I. 2021/127)</a> , regs. 1(1), <b>25(5)(b)</b>
<b>F31</b>	Sch. 1 para. 3(3) inserted (1.9.2021) by <a href="#">The Education (Student Fees, Awards and Support) (Amendment) (No. 2) Regulations 2021 (S.I. 2021/929)</a> , regs. 1(1), <b>7(b)(iii)</b>

## Refugees and their family members

4.—(1) A person who—

- (a) is a refugee;
- (b) is ordinarily resident in the United Kingdom and Islands and has not ceased to be so resident since the person was recognised as a refugee; and
- (c) is ordinarily resident in England on the first day of the first academic year of the course.

(2) A person who—

- (a) is the spouse or civil partner of a refugee;
- (b) was the spouse or civil partner of the refugee on the date on which the refugee made the application for asylum;
- (c) is ordinarily resident in the United Kingdom and Islands and has not ceased to be so resident since being given leave to enter or remain in the United Kingdom; and
- (d) is ordinarily resident in England on the first day of the first academic year of the course.

(3) A person who—

- (a) is the child of a refugee or the child of the spouse or civil partner of a refugee;
- (b) on the date on which the refugee made the application for asylum, was the child of the refugee or the child of a person who was the spouse or civil partner of the refugee on that date;
- (c) was under 18 on the date on which the refugee made the application for asylum;
- (d) is ordinarily resident in the United Kingdom and Islands and has not ceased to be so resident since being given leave to enter or remain in the United Kingdom; and



(e) is ordinarily resident in England on the first day of the first academic year of the course.

**[<sup>F32</sup>Persons granted stateless leave and their family members**

**4A.**—[<sup>F33</sup>(1) A person granted stateless leave, who is ordinarily resident in England on the first day of the first academic year of the course.]

(2) A person—

(a) who—

(i) is the spouse or civil partner of a person granted stateless leave; and

(ii) on the leave application date, was the spouse or civil partner of a person granted stateless leave;

[<sup>F34</sup>(b) who is ordinarily resident in the United Kingdom and Islands and has not ceased to be so resident since being given leave to enter or remain in the United Kingdom; and

(c) who is ordinarily resident in England on the first day of the first academic year of the course.]

(3) A person—

(a) who—

(i) is the child of a person granted stateless leave or the child of the spouse or civil partner of a person granted stateless leave; and

(ii) on the leave application date, was the child of a person granted stateless leave or the child of a person who, on the leave application date, was the spouse or civil partner of a person granted stateless leave;

(b) who was under 18 on the leave application date;

[<sup>F35</sup>(c) who is ordinarily resident in the United Kingdom and Islands and has not ceased to be so resident since being given leave to enter or remain in the United Kingdom; and

(d) who is ordinarily resident in England on the first day of the first academic year of the course.]

(4) In this paragraph, “leave application date” means the date on which a person granted stateless leave made an application to remain in the United Kingdom as a stateless person under the immigration rules (within the meaning given in section 33(1) of the Immigration Act 1971).]

**F32** Sch. 1 para. 4A inserted (with application in accordance with reg. 1(4) of the amending S.I.) by The Education (Student Fees, Awards and Support) (Amendment) Regulations 2018 (S.I. 2018/137), regs. 1(2), 7(9)

**F33** Sch. 1 para. 4A(1) substituted (with application in accordance with reg. 1(3)(a)(5) of the amending S.I.) by The Education (Student Fees, Awards and Support etc.) (Amendment) (No. 3) Regulations 2020 (S.I. 2020/1203), regs. 1(2), 20(2)(a)

**F34** Sch. 1 para. 4A(2)(b)(c) substituted (with application in accordance with reg. 1(3)(a)(5) of the amending S.I.) by The Education (Student Fees, Awards and Support etc.) (Amendment) (No. 3) Regulations 2020 (S.I. 2020/1203), regs. 1(2), 20(2)(b)

**F35** Sch. 1 para. 4A(3)(c)(d) substituted (with application in accordance with reg. 1(3)(a)(5) of the amending S.I.) by The Education (Student Fees, Awards and Support etc.) (Amendment) (No. 3) Regulations 2020 (S.I. 2020/1203), regs. 1(2), 20(3)

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### [<sup>F36</sup>Persons granted section 67 leave

**4B.** A person granted section 67 leave, who is ordinarily resident in England on the first day of the first academic year of the course.]

**F36** Sch. 1 para. 4B substituted (with application in accordance with reg. 1(3)(a)(5) of the amending S.I.) by [The Education \(Student Fees, Awards and Support etc.\) \(Amendment\) \(No. 3\) Regulations 2020 \(S.I. 2020/1203\)](#), regs. 1(2), **20(4)**

### [<sup>F37</sup>Persons granted indefinite leave to remain as a victim of domestic violence or domestic abuse

**4C.** A person granted indefinite leave to remain as a victim of domestic violence or domestic abuse, who is ordinarily resident in England on the first day of the first academic year of the course.]

**F37** Sch. 1 para. 4C inserted (with application in accordance with reg. 1(3)(a) of the amending S.I.) by [The Education \(Student Fees, Awards and Support etc.\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/48\)](#), regs. 1(1), **2(3)(g)**

### [<sup>F38</sup>Persons granted Calais leave

**4D.** A person granted Calais leave, who is ordinarily resident in England on the first day of the first academic year of the course.]

**F38** Sch. 1 para. 4D substituted (with application in accordance with reg. 1(3)(a)(5) of the amending S.I.) by [The Education \(Student Fees, Awards and Support etc.\) \(Amendment\) \(No. 3\) Regulations 2020 \(S.I. 2020/1203\)](#), regs. 1(2), **20(5)**

### [<sup>F39</sup>Persons granted indefinite leave to remain as a bereaved partner

**4E.** A person granted indefinite leave to remain as a bereaved partner, who is ordinarily resident in England on the first day of the first academic year of the course.]

**F39** Sch. 1 para. 4E inserted (with application in accordance with reg. 1(4)(a) of the amending S.I.) by [The Education \(Student Fees, Awards and Support etc.\) \(Amendment\) \(No. 3\) Regulations 2020 \(S.I. 2020/1203\)](#), regs. 1(2), **13(8)**

## Persons granted humanitarian protection and their family members

**5.**—[<sup>F40</sup>(1) A person granted humanitarian protection, who is ordinarily resident in England on the first day of the first academic year of the course.]

(2) A person who—

- (a) is the spouse or civil partner of a person granted humanitarian protection;
- (b) was the spouse or civil partner of the person granted humanitarian protection on the date on which that person applied for asylum (the “asylum application date”);

[<sup>F41</sup>(c) is ordinarily resident in the United Kingdom and Islands and has not ceased to be so resident since being given leave to enter or remain in the United Kingdom; and

(d) is ordinarily resident in England on the first day of the first academic year of the course.]

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- (3) A person who—
- (a) is the child of a person granted humanitarian protection or the child of the spouse or civil partner of a person granted humanitarian protection;
  - (b) on the asylum application date, was the child of that person or the child of a person who was the spouse or civil partner of the person granted humanitarian protection on that date;
  - (c) was under 18 on the asylum application date;
  - <sup>F42</sup>(d) is ordinarily resident in the United Kingdom and Islands and has not ceased to be so resident since being given leave to enter or remain in the United Kingdom; and
  - (e) is ordinarily resident in England on the first day of the first academic year of the course.]

**F40** Sch. 1 para. 5(1) substituted (with application in accordance with reg. 1(3)(a)(5) of the amending S.I.) by The Education (Student Fees, Awards and Support etc.) (Amendment) (No. 3) Regulations 2020 (S.I. 2020/1203), regs. 1(2), **20(6)(a)**

**F41** Sch. 1 para. 5(2)(c)(d) substituted (with application in accordance with reg. 1(3)(a)(5) of the amending S.I.) by The Education (Student Fees, Awards and Support etc.) (Amendment) (No. 3) Regulations 2020 (S.I. 2020/1203), regs. 1(2), **20(6)(b)**

**F42** Sch. 1 para. 5(3)(d)(e) substituted (with application in accordance with reg. 1(3)(a)(5) of the amending S.I.) by The Education (Student Fees, Awards and Support etc.) (Amendment) (No. 3) Regulations 2020 (S.I. 2020/1203), regs. 1(2), **20(6)(c)**

### Workers, employed persons, self-employed persons and their family members

- 6.—(1) A person who—
- (a) is—
    - (i) an EEA migrant worker or an EEA self-employed person;
    - (ii) a Swiss employed person or a Swiss self-employed person;
    - (iii) a family member of a person mentioned in paragraph (i) or (ii);
    - (iv) an EEA frontier worker or an EEA frontier self-employed person;
    - (v) a Swiss frontier employed person or a Swiss frontier self-employed person; or
    - (vi) a family member of a person mentioned in paragraph (iv) or (v);
  - (b) subject to sub-paragraph (2), is ordinarily resident in England on the first day of the first academic year of the course; and
  - (c) has been ordinarily resident in the territory comprising <sup>F43</sup>the United Kingdom, Gibraltar,] the European Economic Area and Switzerland throughout the three-year period preceding the first day of the first academic year of the course.
- (2) Paragraph (b) of sub-paragraph (1) does not apply where the person applying for support falls within paragraph (a)(iv), (v) or (vi) of sub-paragraph (1).

**F43** Words in Sch. 1 para. 6(1)(c) inserted (31.12.2020) by The Education (Student Fees, Awards and Support) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1181), regs. 1(3), **11(3)(b)**

<sup>F44</sup>**6A.**—(1) A person with protected rights, or a frontier worker within the meaning of regulation 3 of the Citizens' Rights (Frontier Workers) (EU Exit) Regulations 2020, who—

- (a) is—
  - (i) an EEA migrant worker or an EEA self-employed person;

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- (ii) a Swiss employed person or a Swiss self-employed person;
  - (iii) a family member of a person mentioned in sub-paragraph (i) or (ii);
  - (iv) an EEA frontier worker or an EEA frontier self-employed person;
  - (v) a Swiss frontier employed person or a Swiss frontier self-employed person; or
  - (vi) a family member of a person mentioned in sub-paragraph (iv) or (v);
- (b) subject to sub-paragraph (2), is ordinarily resident in England on the first day of the first academic year of the course; and
- [<sup>F45</sup>(c) has been ordinarily resident throughout the three-year period preceding the first day of the first academic year of the course either—
- (i) in the territory comprising the United Kingdom, Gibraltar, the European Economic Area and Switzerland; or
  - (ii) in the territory comprising the United Kingdom, the European Economic Area, Switzerland and the overseas territories, where at least part of that ordinary residence was in the overseas territories.]

(2) Paragraph (b) of sub-paragraph (1) does not apply where the person applying for support falls within paragraph (a)(iv), (v) or (vi) of sub-paragraph (1).

(3) In this paragraph, a description of a person in sub-paragraph(1)(a)(i) is to be read as if it includes a relevant person of Northern Ireland who would, if that person were an EEA national or solely an EEA national, be an EEA migrant worker or an EEA self-employed person.]

**F44** Sch. 1 para. 6A inserted (1.3.2021) by [The Education \(Student Fees, Awards and Support\) \(Amendment\) Regulations 2021 \(S.I. 2021/127\)](#), regs. 1(1), **25(6)**

**F45** Sch. 1 para. 6A(1)(c) substituted (with application in accordance with reg. 1(3)(d) of the amending S.I.) by [The Education \(Student Fees, Awards and Support\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/1348\)](#), regs. 1(1), **11(10)(e)**

7.—[<sup>F46</sup>(1)] A person who—

- (a) is ordinarily resident in England on the first day of the first academic year of the course;
- (b) has been ordinarily resident in the territory comprising [<sup>F47</sup>the United Kingdom, Gibraltar,] the European Economic Area and Switzerland throughout the three-year period preceding the first day of the first academic year of the course; and
- (c) is entitled to support by virtue of Article 12 of Council Regulation (EEC) No. 1612/68 on the freedom of movement of workers <sup>M3</sup>, as extended by the EEA Agreement.

[<sup>F48</sup>(2) Any description of person who would have been eligible under this paragraph immediately before IP completion day is to be eligible on and after IP completion day.]

**F46** Sch. 1 para. 7(a)-(c) renumbered as Sch. 1 para. 7(1)(a)-(c) (31.12.2020) by [The Education \(Student Fees, Awards and Support\) \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1181\)](#), regs. 1(3), **11(3)(c)(i)**

**F47** Words in Sch. 1 para. 7(1)(b) inserted (31.12.2020) by [The Education \(Student Fees, Awards and Support\) \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1181\)](#), regs. 1(3), **11(3)(c)(ii)**

**F48** Sch. 1 para. 7(2) inserted (31.12.2020) by [The Education \(Student Fees, Awards and Support\) \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1181\)](#), regs. 1(3), **11(3)(c)(iii)**

#### Marginal Citations

**M3** OJ No L257, 19.10.1968, p2 (OJ/SE 1968 (II) p475).

- [<sup>F49</sup>7A.—**(1) A person with protected rights who—
- (a) is ordinarily resident in England on the first day of the first academic year of the course;
  - [<sup>F50</sup>(b)** has been ordinarily resident throughout the three-year period preceding the first academic year of the course either—
    - (i) in the territory comprising the United Kingdom, Gibraltar, the European Economic Area and Switzerland; or
    - (ii) in the territory comprising the United Kingdom, the European Economic Area, Switzerland and the overseas territories where at least part of that ordinary residence was in the overseas territories;]
  - (c) is entitled to support by virtue of Article 10 of Regulation (EU) No. 492/2011 of the European Parliament and of the Council of 5 April 2011 on freedom of movement for workers within the Union (“the Workers Regulation”), as it had effect immediately before IP completion day, as extended by the EEA Agreement, as it had effect immediately before IP completion day.
- (2) For the purposes of sub-paragraph (1)(c), in Article 10 of the Workers Regulation—
- (a) the reference to a “national of a Member State” is to be read as including a relevant person of Northern Ireland; and
  - (b) the reference to “another Member State” is to be read as including the United Kingdom, and the references to “that State” construed accordingly.]

<b>F49</b>	Sch. 1 para. 7A inserted (1.3.2021) by The Education (Student Fees, Awards and Support) (Amendment) Regulations 2021 (S.I. 2021/127), regs. 1(1), 25(7)
<b>F50</b>	Sch. 1 para. 7A(1)(b) substituted (with application in accordance with reg. 1(3)(d) of the amending S.I.) by The Education (Student Fees, Awards and Support) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1348), regs. 1(1), 11(10)(f)

## Persons who are settled in the United Kingdom and have exercised a right of residence elsewhere

- 8.—**(1) A person who—
- (a) is settled in the United Kingdom;
  - (b) was ordinarily resident in England and settled in the United Kingdom immediately before leaving the United Kingdom and who has exercised a right of residence [<sup>F51</sup>before IP completion day];
  - (c) is ordinarily resident in the United Kingdom on the day on which the first term of the first academic year actually begins;
  - (d) has been ordinarily resident in the territory comprising [<sup>F52</sup>the United Kingdom, Gibraltar,] the European Economic Area and Switzerland throughout the three-year period preceding the first day of the first academic year of the course; and
  - (e) in a case where the person's ordinary residence referred to in paragraph (d) was wholly or mainly for the purposes of receiving full-time education, was ordinarily resident in the territory comprising [<sup>F53</sup>the United Kingdom, Gibraltar,] the European Economic Area and Switzerland immediately before the period of ordinary residence referred to in paragraph (d).
- (2) For the purposes of this paragraph, a person has exercised a right of residence if that person is a United Kingdom national, a family member of a United Kingdom national for the purposes of Article 7 of Directive 2004/38 (or corresponding purposes under the EEA Agreement or Swiss

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Agreement) or a person who [<sup>F54</sup>had the right] of permanent residence who in each case has exercised a right under Article 7 of Directive 2004/38 or any equivalent right under the EEA Agreement or Swiss Agreement in a state other than the United Kingdom or, in the case of a person who is settled in the United Kingdom and has a right of permanent residence, if the person [<sup>F55</sup>has gone] to the state within the territory comprising the European Economic Area and Switzerland of which the person is a national or of which the person in relation to whom the person is a family member is a national.

[<sup>F56</sup>(3) For the purposes of sub-paragraph (2), a person had the right of permanent residence if they had a right which arose under Directive 2004/38 to reside permanently in the United Kingdom without restriction.]

- |            |  |
|------------|--|
| <b>F51</b> | Words in Sch. 1 para. 8(1)(b) inserted (31.12.2020) by The Education (Student Fees, Awards and Support) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1181), regs. 1(3), <b>11(3)(d)(i)</b>       |
| <b>F52</b> | Words in Sch. 1 para. 8(1)(d) inserted (31.12.2020) by The Education (Student Fees, Awards and Support) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1181), regs. 1(3), <b>11(3)(d)(ii)</b>      |
| <b>F53</b> | Words in Sch. 1 para. 8(1)(e) inserted (31.12.2020) by The Education (Student Fees, Awards and Support) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1181), regs. 1(3), <b>11(3)(d)(ii)</b>      |
| <b>F54</b> | Words in Sch. 1 para. 8(2) substituted (31.12.2020) by The Education (Student Fees, Awards and Support) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1181), regs. 1(3), <b>11(3)(d)(iii)(aa)</b> |
| <b>F55</b> | Words in Sch. 1 para. 8(2) substituted (31.12.2020) by The Education (Student Fees, Awards and Support) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1181), regs. 1(3), <b>11(3)(d)(iii)(bb)</b> |
| <b>F56</b> | Sch. 1 para. 8(3) inserted (31.12.2020) by The Education (Student Fees, Awards and Support) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1181), regs. 1(3), <b>11(3)(d)(iv)</b>                  |

[<sup>F57</sup>**8A.**—(1) A person who—

- (a) is settled in the United Kingdom;
- (b) was ordinarily resident in England and settled in the United Kingdom immediately before leaving the United Kingdom and who has exercised a right of residence before IP completion day;
- (c) was ordinarily resident immediately before IP completion day—
  - (i) in the territory comprising Gibraltar, the European Economic Area and Switzerland; or
  - (ii) in the United Kingdom, where that ordinary residence began after 31st December 2017 immediately following a period of ordinary residence in the territory comprising Gibraltar, the European Economic Area and Switzerland, and has remained ordinarily resident in the territory comprising the United Kingdom, Gibraltar, the European Economic Area and Switzerland throughout the period beginning on IP completion day and ending immediately before the first day of the first academic year of the course;
- (d) is ordinarily resident in the United Kingdom on the day on which the first term of the first academic year actually begins;
- (e) has been ordinarily resident in the territory comprising the United Kingdom, Gibraltar, the European Economic Area and Switzerland throughout the three-year period preceding the first day of the first academic year of the course; and
- (f) in a case where the person's ordinary residence referred to in paragraph (e) was wholly or mainly for the purposes of receiving full-time education, was ordinarily resident in the territory comprising the United Kingdom, Gibraltar, the European Economic Area and Switzerland immediately before the period of ordinary residence referred to in paragraph (e).

(2) For the purposes of this paragraph, a person has exercised a right of residence if that person is a United Kingdom national, a family member of a United Kingdom national for the purposes of Article 7 of Directive 2004/38 (or corresponding purposes under the EEA Agreement or Swiss Agreement) or a person who had the right of permanent residence who in each case has exercised a right under Article 7 of Directive 2004/38 or any equivalent right under the EEA Agreement or Swiss Agreement in a state other than the United Kingdom or, in the case of a person who is settled in the United Kingdom and had the right of permanent residence, if the person has gone to the state within the territory comprising the European Economic Area and Switzerland of which the person is a national or of which the person in relation to whom the person is a family member is a national.

(3) For the purposes of sub-paragraph (2), a person had the right of permanent residence if they had a right which arose under Directive 2004/38 to reside permanently in the United Kingdom without restriction.]

**F57** Sch. 1 para. 8A inserted (1.3.2021) by The Education (Student Fees, Awards and Support) (Amendment) Regulations 2021 (S.I. 2021/127), regs. 1(1), **25(8)**

#### **EU nationals [F58 etc.]**

**9.**—(1) A person who—

(a) is either—

- (i) an EU national on the first day of the first academic year of the course; or
- (ii) a family member of a such a person;

(b) is—

- (i) attending or undertaking a designated course <sup>F59</sup>... in England; or
- (ii) undertaking [<sup>F60</sup>an intensive course], designated part-time course or a designated postgraduate course in England;

(c) has been ordinarily resident in the territory comprising [<sup>F61</sup>the United Kingdom, Gibraltar,] the European Economic Area and Switzerland throughout the three-year period preceding the first day of the first academic year of the course; and

(d) subject to sub-paragraph (2), whose ordinary residence in the territory comprising [<sup>F62</sup>the United Kingdom, Gibraltar,] the European Economic Area and Switzerland has not during any part of the period referred to in paragraph (c) been wholly or mainly for the purpose of receiving full-time education.

(2) Paragraph (d) of sub-paragraph (1) does not apply to a person who is treated as being ordinarily resident in the territory comprising [<sup>F63</sup>the United Kingdom, Gibraltar,] the European Economic Area and Switzerland in accordance with paragraph 1(4).

(3) Where a state accedes to the EU after the first day of the first academic year of the course and a person is a national of that state or the family member of a national of that state, the requirement in paragraph (a) of sub-paragraph (1) to be an EU national on the first day of the first academic year of the course is treated as being satisfied.

[<sup>F64</sup>(4) Any description of person who would have been eligible under this paragraph immediately before IP completion day is to be eligible on and after IP completion day.]

**F58** Word in Sch. 1 para. 9 heading inserted (1.3.2021) by The Education (Student Fees, Awards and Support) (Amendment) Regulations 2021 (S.I. 2021/127), regs. 1(1), **25(9)**

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- F59** Words in Sch. 1 para. 9(1)(b)(i) omitted (with application in accordance with reg. 1(3)(5) of the amending S.I.) by virtue of [The Education \(Student Fees, Awards and Support\) \(Amendment\) Regulations 2018 \(S.I. 2018/137\)](#), regs. 1(2), **6(10)**
- F60** Words in Sch. 1 para. 9(1)(b) substituted (with application in accordance with reg. 1(2)(5) of the amending S.I.) by [The Education \(Student Fees, Awards and Support etc.\) \(Amendment\) Regulations 2019 \(S.I. 2019/142\)](#), regs. 1(1), **32(2)**
- F61** Words in Sch. 1 para. 9(1)(c) inserted (31.12.2020) by [The Education \(Student Fees, Awards and Support\) \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1181\)](#), regs. 1(3), **11(3)(e)(i)**
- F62** Words in Sch. 1 para. 9(1)(d) inserted (31.12.2020) by [The Education \(Student Fees, Awards and Support\) \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1181\)](#), regs. 1(3), **11(3)(e)(i)**
- F63** Words in Sch. 1 para. 9(2) inserted (31.12.2020) by [The Education \(Student Fees, Awards and Support\) \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1181\)](#), regs. 1(3), **11(3)(e)(i)**
- F64** Sch. 1 para. 9(4) inserted (31.12.2020) by [The Education \(Student Fees, Awards and Support\) \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1181\)](#), regs. 1(3), **11(3)(e)(ii)**

**[<sup>F65</sup>9A.—(1) A person with protected rights—**

- (a) who is—
- (i) an EU national on the first day of the first academic year of the course;
  - (ii) a family member of a person mentioned in sub-paragraph (i); or
  - (iii) a family member of a relevant person of Northern Ireland;
- (b) who is—
- (i) attending or undertaking a designated course in England; or
  - (ii) undertaking an intensive course, designated part-time course or a designated postgraduate course in England;
- (c) who has been ordinarily resident in the territory comprising the United Kingdom, <sup>F66</sup>... the European Economic Area [<sup>F67</sup>, Switzerland and the overseas territories] throughout the three-year period preceding the first day of the first academic year of the course; and
- (d) subject to sub-paragraph (2), whose ordinary residence in the territory comprising the United Kingdom, <sup>F68</sup>... the European Economic Area [<sup>F69</sup>, Switzerland and the overseas territories] has not during any part of the period referred to in paragraph (c) been wholly or mainly for the purpose of receiving full-time education.

(2) Paragraph (d) of sub-paragraph (1) does not apply to a person who is treated as being ordinarily resident in the territory comprising the United Kingdom, <sup>F70</sup>... the European Economic Area [<sup>F71</sup>, Switzerland and the overseas territories] in accordance with paragraph 1(4).]

- F65** Sch. 1 paras. 9A-9D inserted (1.3.2021) by [The Education \(Student Fees, Awards and Support\) \(Amendment\) Regulations 2021 \(S.I. 2021/127\)](#), regs. 1(1), **25(10)**
- F66** Word in Sch. 1 para. 9A(1)(c) omitted (with application in accordance with reg. 1(3)(d) of the amending S.I.) by virtue of [The Education \(Student Fees, Awards and Support\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/1348\)](#), regs. 1(1), **11(10)(g)(i)(aa)**
- F67** Words in Sch. 1 para. 9A(1)(c) substituted (with application in accordance with reg. 1(3)(d) of the amending S.I.) by [The Education \(Student Fees, Awards and Support\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/1348\)](#), regs. 1(1), **11(10)(g)(i)(bb)**
- F68** Word in Sch. 1 para. 9A(1)(d) omitted (with application in accordance with reg. 1(3)(d) of the amending S.I.) by virtue of [The Education \(Student Fees, Awards and Support\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/1348\)](#), regs. 1(1), **11(10)(g)(ii)(aa)**



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- F69** Words in Sch. 1 para. 9A(1)(d) substituted (with application in accordance with reg. 1(3)(d) of the amending S.I.) by The Education (Student Fees, Awards and Support) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1348), regs. 1(1), **11(10)(g)(ii)(bb)**
- F70** Word in Sch. 1 para. 9A(2) omitted (with application in accordance with reg. 1(3)(d) of the amending S.I.) by virtue of The Education (Student Fees, Awards and Support) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1348), regs. 1(1), **11(10)(h)(i)**
- F71** Words in Sch. 1 para. 9A(2) substituted (with application in accordance with reg. 1(3)(d) of the amending S.I.) by The Education (Student Fees, Awards and Support) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1348), regs. 1(1), **11(10)(h)(ii)**

### [<sup>F65</sup>United Kingdom nationals

**9B.**—(1) A person—

- (a) who is—
- (i) a United Kingdom national on the first day of the first academic year of the course; or
  - (ii) a family member of a person mentioned in sub-paragraph (i);
- (b) who was ordinarily resident immediately before IP completion day—
- (i) in the territory comprising the European Economic Area and Switzerland; or
  - (ii) in the United Kingdom, where that ordinary residence began after 31st December 2017 immediately following a period of ordinary residence in the territory comprising the European Economic Area and Switzerland, and has remained ordinarily resident in the territory comprising the United Kingdom, Gibraltar, the European Economic Area and Switzerland throughout the period beginning on IP completion day and ending immediately before the first day of the first academic year of the course;
- (c) who is —
- (i) attending or undertaking a designated course in England; or
  - (ii) undertaking an intensive course, designated part-time course or a designated postgraduate course in England;
- (d) has been ordinarily resident in the territory comprising the United Kingdom, Gibraltar, the European Economic Area and Switzerland throughout the three-year period preceding the first day of the first academic year of the course; and
- (e) subject to sub-paragraph (2), whose ordinary residence in the territory comprising the United Kingdom, Gibraltar, the European Economic Area and Switzerland has not during any part of the period referred to in paragraph (d) been wholly or mainly for the purpose of receiving full-time education.

(2) Paragraph (e) of sub-paragraph (1) does not apply to a person who is treated as being ordinarily resident in the territory comprising the United Kingdom, Gibraltar, the European Economic Area and Switzerland in accordance with paragraph 1(4).

(3) Where a person (“P”) falls within sub-paragraph (1)(a)(ii), the person in relation to whom P is a family member must also meet the requirements of sub-paragraph (1)(b) and (d).]

- F65** Sch. 1 paras. 9A-9D inserted (1.3.2021) by The Education (Student Fees, Awards and Support) (Amendment) Regulations 2021 (S.I. 2021/127), regs. 1(1), **25(10)**

[<sup>F72</sup>**9BA.**—(1) A person—

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- (a) who is an Irish citizen on the first day of the first academic year of the course;
- (b) who was ordinarily resident before IP completion day—
  - (i) in the territory comprising the European Economic Area and Switzerland; or
  - (ii) in the United Kingdom, where that ordinary residence began after 31st December 2017 immediately following a period of ordinary residence in the territory comprising the European Economic Area and Switzerland,
 and has remained ordinarily resident in the territory comprising the United Kingdom, Gibraltar, the European Economic Area and Switzerland throughout the period beginning on IP completion day and ending immediately before the first day of the first academic year of the course;
- (c) who is—
  - (i) attending or undertaking a designated course in England; or
  - (ii) undertaking an intensive course, designated part-time course or a designated postgraduate course in England;
- (d) has been ordinarily resident in the territory comprising the United Kingdom, Gibraltar, the European Economic Area and Switzerland throughout the three-year period preceding the first day of the first academic year of the course; and
- (e) subject to sub-paragraph (2), whose ordinary residence in the territory comprising the United Kingdom, Gibraltar, the European Economic Area and Switzerland has not during any part of the period referred to in paragraph (d) been wholly or mainly for the purpose of receiving full-time education.

(2) Paragraph (e) of sub-paragraph (1) does not apply to a person who is treated as being ordinarily resident in the territory comprising the United Kingdom, Gibraltar, the European Economic Area and Switzerland in accordance with paragraph 1(4).]

**F72** Sch. 1 para. 9BA inserted (1.9.2021) by [The Education \(Student Fees, Awards and Support\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/929\)](#), regs. 1(1), **8(8)(a)**

[<sup>F73</sup>**9BB.**—(1) A person—

- (a) who is settled in the United Kingdom on the first day of the first academic year of the course;
- (b) who is—
  - (i) attending or undertaking a designated course in England; or
  - (ii) undertaking an intensive course, designated part-time course or a designated postgraduate course in England;
- (c) who has been ordinarily resident in the specified British overseas territories for at least part of the three-year period preceding the first day of the first academic year of the course;
- (d) who has been ordinarily resident in the territory comprising the United Kingdom, the Islands and the specified British overseas territories throughout the three-year period preceding the first day of the first academic year of the course;
- (e) who did not move to England from the Islands for the purpose of undertaking the current course or a course which, disregarding any intervening vacation, the person undertook immediately before undertaking the current course; and
- (f) subject to sub-paragraph (2), whose ordinary residence in the territory comprising the United Kingdom, the Islands and the specified British overseas territories has not during

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any part of the period referred to in paragraph (d) been wholly or mainly for the purpose of receiving full-time education.

(2) Paragraph (f) of sub-paragraph (1) does not apply to a person who is treated as being ordinarily resident in the territory comprising the United Kingdom, the Islands and the specified British overseas territories in accordance with paragraph 1(4).]

**F73** Sch. 1 para. 9BB inserted (with application in accordance with reg. 1(3)(d) of the amending S.I.) by The Education (Student Fees, Awards and Support) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1348), regs. 1(1), **11(10)(i)**

**[<sup>F65</sup>9C.—(1) A person—**

- (a) who is a family member of a person who is [<sup>F74</sup>settled in the United Kingdom] on the first day of the first academic year of the course;
- (b) who is—
  - (i) attending or undertaking a designated course in England; or
  - (ii) undertaking an intensive course, designated part-time course or a designated postgraduate course in England;
- (c) who has been ordinarily resident in the United Kingdom and Islands throughout the three-year period preceding the first day of the first academic year of the course;
- (d) subject to sub-paragraph (2), whose ordinary residence in the United Kingdom and Islands has not during any part of the period referred to in paragraph (c) been wholly or mainly for the purpose of receiving full-time education; [<sup>F75</sup>and]

[ who did not move to England from the Islands for the purpose of undertaking the current <sup>F76</sup>(e) course or a course which, disregarding any intervening vacation, the person undertook immediately before undertaking the current course.]

(2) Paragraph (d) of sub-paragraph (1) does not apply to a person who is treated as being ordinarily resident in the United Kingdom and Islands in accordance with paragraph 1(4).]

**F65** Sch. 1 paras. 9A-9D inserted (1.3.2021) by The Education (Student Fees, Awards and Support) (Amendment) Regulations 2021 (S.I. 2021/127), regs. 1(1), **25(10)**

**F74** Words in Sch. 1 para. 9C(1)(a) substituted (with application in accordance with reg. 1(3)(f) of the amending S.I.) by The Education (Student Fees, Awards and Support) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1348), regs. 1(1), **14**

**F75** Word in Sch. 1 para. 9C(1)(d) moved from Sch. 1 para. 9C(1)(c) (1.9.2021) by The Education (Student Fees, Awards and Support) (Amendment) (No. 2) Regulations 2021 (S.I. 2021/929), regs. 1(1), **7(c)**

**F76** Sch. 1 para. 9C(1)(e) inserted (1.9.2021) by The Education (Student Fees, Awards and Support) (Amendment) (No. 2) Regulations 2021 (S.I. 2021/929), regs. 1(1), **7(e)**

**[<sup>F65</sup>Persons resident in Gibraltar**

**[<sup>F77</sup>9D.—(1) A person—**

- (a) who is—
  - (i) a United Kingdom national who has resident status in Gibraltar granted by the Government of Gibraltar; or
  - (ii) a family member of a United Kingdom national where that family member has resident status in Gibraltar granted by the Government of Gibraltar;

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- (b) who is —
- (i) attending or undertaking a designated course in England; or
  - (ii) undertaking an intensive course, designated part-time course or a designated postgraduate course in England;
- (c) who has been ordinarily resident in the territory comprising the United Kingdom, Gibraltar, the European Economic Area and Switzerland throughout the three-year period preceding the first day of the first academic year of the course; and
- (d) subject to sub-paragraph (3), whose ordinary residence in the territory comprising the United Kingdom, Gibraltar, the European Economic Area and Switzerland has not during any part of the period referred to in paragraph (c) been wholly or mainly for the purpose of receiving full-time education.
- (2) A person—
- (a) who is—
- (i) an EU national who has a right of residence in Gibraltar arising under the EU withdrawal agreement; or
  - (ii) a family member of an EU national, where that family member has a right of residence in Gibraltar arising under the EU withdrawal agreement;
- (b) who is —
- (i) attending or undertaking a designated course in England; or
  - (ii) undertaking an intensive course, designated part-time course or a designated postgraduate course in England;
- (c) who has been ordinarily resident in the territory comprising the United Kingdom, the European Economic Area, Switzerland and the overseas territories throughout the three-year period preceding the first day of the first academic year of the course; and
- (d) subject to sub-paragraph (3), whose ordinary residence in the territory comprising the United Kingdom, the European Economic Area, Switzerland and the overseas territories has not during any part of the period referred to in paragraph (c) been wholly or mainly for the purpose of receiving full-time education.
- (3) Paragraph (d) of sub-paragraphs (1) and (2) does not apply to a person treated as being ordinarily resident in the territory referred to in paragraph (c) of those sub-paragraphs in accordance with paragraph 1(4).]]

**F65** Sch. 1 paras. 9A-9D inserted (1.3.2021) by [The Education \(Student Fees, Awards and Support\) \(Amendment\) Regulations 2021 \(S.I. 2021/127\)](#), regs. 1(1), **25(10)**

**F77** Sch. 1 para. 9D substituted (with application in accordance with reg. 1(3)(d) of the amending S.I.) by [The Education \(Student Fees, Awards and Support\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/1348\)](#), regs. 1(1), **11(10)(j)**

### [<sup>F78</sup>EU nationals ordinarily resident in the United Kingdom and Islands]

- 10.**—(1) A person who—
- (a) is an EU national <sup>F79</sup>... on the first day of the first academic year of the course;
  - (b) is ordinarily resident in England on the first day of the first academic year of the course;
  - (c) has been ordinarily resident in the United Kingdom and Islands throughout the three-year period immediately preceding the first day of the first academic year of the course; and

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- (d) in a case where the person's ordinary residence referred to in paragraph (c) was wholly or mainly for the purpose of receiving full-time education, was ordinarily resident in the territory comprising [<sup>F80</sup>the United Kingdom, Gibraltar,] the European Economic Area and Switzerland immediately prior to the period of ordinary residence referred to in paragraph (c).

(2) Where a state accedes to the EU after the first day of the first academic year of the course and a person is a national of that state, the requirement in paragraph (a) of sub-paragraph (1) to be an [<sup>F81</sup>EU national]<sup>F82</sup>... on the first day of the first academic year of the course is treated as being satisfied.

- F78** Sch. 1 para. 10 heading inserted (1.3.2021) by [The Education \(Student Fees, Awards and Support\) \(Amendment\) Regulations 2021 \(S.I. 2021/127\)](#), regs. 1(1), **25(11)**
- F79** Words in Sch. 1 para. 10(1)(a) omitted (31.12.2020) by virtue of [The Education \(Student Fees, Awards and Support\) \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1181\)](#), regs. 1(3), **11(3)(f)(i)**
- F80** Words in Sch. 1 para. 10(1)(d) inserted (31.12.2020) by [The Education \(Student Fees, Awards and Support\) \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1181\)](#), regs. 1(3), **11(3)(f)(ii)**
- F81** Words in Sch. 1 para. 10(2) substituted (1.8.2012) by [The Education \(Student Fees, Awards and Support\) \(Amendment\) Regulations 2012 \(S.I. 2012/1653\)](#), regs. 1(3), **37**
- F82** Words in Sch. 1 para. 10(2) omitted (31.12.2020) by virtue of [The Education \(Student Fees, Awards and Support\) \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1181\)](#), regs. 1(3), **11(3)(f)(i)**

[<sup>F83</sup>**10ZA.** A person with protected rights who—

- (a) is an EU national on the first day of the first academic year of the course;
- (b) is ordinarily resident in England on the first day of the first academic year of the course;
- (c) has been ordinarily resident in the United Kingdom and Islands throughout the three-year period immediately preceding the first day of the first academic year of the course; and
- (d) in a case where the person's ordinary residence referred to in paragraph (c) was wholly or mainly for the purpose of receiving full-time education, was [<sup>F84</sup>ordinarily resident immediately before the period of ordinary residence referred to in paragraph (c) in the territory comprising—
- (i) the United Kingdom, Gibraltar, the European Economic Area and Switzerland; or
- (ii) the overseas territories.]]

- F83** Sch. 1 para. 10ZA inserted (1.3.2021) by [The Education \(Student Fees, Awards and Support\) \(Amendment\) Regulations 2021 \(S.I. 2021/127\)](#), regs. 1(1), **25(12)**
- F84** Words in Sch. 1 para. 10ZA(d) substituted (with application in accordance with reg. 1(3)(d) of the amending S.I.) by [The Education \(Student Fees, Awards and Support\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/1348\)](#), regs. 1(1), **11(10)(k)**

[<sup>F85</sup>**10A.**—(1) A person who—

- (a) is an EU national <sup>F86</sup>... on the first day of the first academic year of the course;
- (b) is ordinarily resident in England on the first day of the first academic year of the course;
- (c) has been ordinarily resident in the United Kingdom and Islands throughout the five-year period immediately preceding the first day of the first academic year of the course; and
- (d) in a case where the person's ordinary residence referred to in paragraph (c) was wholly or mainly for the purpose of receiving full-time education, was ordinarily resident in the territory comprising [<sup>F87</sup>the United Kingdom, Gibraltar,] the European Economic Area

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and Switzerland immediately prior to the period of ordinary residence referred to in paragraph (c).

(2) Where a state accedes to the EU after the first day of the first academic year of the course and a person is a national of that state, the requirement in paragraph (a) of sub-paragraph (1) to be an EU national <sup>F88</sup>... on the first day of the first academic year of the course is treated as being satisfied.]

- F85** Sch. 1 para. 10A inserted (with application in accordance with reg. 1(3)(4) of the amending S.I.) by [The Education \(Student Support\) \(Amendment\) Regulations 2016 \(S.I. 2016/270\)](#), regs. 1(1), **6**
- F86** Words in Sch. 1 para. 10A(1)(a) omitted (31.12.2020) by virtue of [The Education \(Student Fees, Awards and Support\) \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1181\)](#), regs. 1(3), **11(3)(g)(i)**
- F87** Words in Sch. 1 para. 10A(1)(d) inserted (31.12.2020) by [The Education \(Student Fees, Awards and Support\) \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1181\)](#), regs. 1(3), **11(3)(g)(ii)**
- F88** Words in Sch. 1 para. 10A(2) omitted (31.12.2020) by virtue of [The Education \(Student Fees, Awards and Support\) \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1181\)](#), regs. 1(3), **11(3)(g)(i)**

### Children of Swiss nationals

**11.**—<sup>F89</sup>(1) A person who—

- (a) is the child of a Swiss national who is entitled to support in the United Kingdom by virtue of article 3(6) of Annex 1 to the Swiss Agreement;
- (b) is ordinarily resident in England on the first day of the first academic year of the course;
- (c) has been ordinarily resident in the territory comprising <sup>F90</sup>the United Kingdom, Gibraltar,] the European Economic Area and Switzerland throughout the three-year period preceding the first day of the first academic year of the course; and
- (d) in a case where the person's ordinary residence referred to in paragraph (c) was wholly or mainly for the purpose of receiving full-time education, was ordinarily resident in the territory comprising <sup>F91</sup>the United Kingdom, Gibraltar,] the European Economic Area and Switzerland immediately before the period of ordinary residence referred to in paragraph (c).

<sup>F92</sup>(2) Any description of person who would have been eligible under this paragraph immediately before IP completion day is to be eligible on and after IP completion day.]

- F89** Sch. 1 para. 11(a)-(d) renumbered as Sch. 1 para. 11(1)(a)-(d) (31.12.2020) by [The Education \(Student Fees, Awards and Support\) \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1181\)](#), regs. 1(3), **11(3)(h)(i)**
- F90** Words in Sch. 1 para. 11(1)(c) inserted (31.12.2020) by [The Education \(Student Fees, Awards and Support\) \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1181\)](#), regs. 1(3), **11(3)(h)(ii)**
- F91** Words in Sch. 1 para. 11(1)(d) inserted (31.12.2020) by [The Education \(Student Fees, Awards and Support\) \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1181\)](#), regs. 1(3), **11(3)(h)(ii)**
- F92** Sch. 1 para. 11(2) inserted (31.12.2020) by [The Education \(Student Fees, Awards and Support\) \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1181\)](#), regs. 1(3), **11(3)(h)(iii)**

<sup>F93</sup>**11A.** A person with protected rights who—

- (a) is the child of a Swiss national who is entitled to support in the United Kingdom by virtue of Article 18(2) of the Swiss citizens' rights agreement;
- (b) is ordinarily resident in England on the first day of the first academic year of the course;
- <sup>F94</sup>(c) has been ordinarily resident throughout the three-year period preceding the first day of the first academic year of the course either—

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- (i) in the territory comprising the United Kingdom, Gibraltar, the European Economic Area and Switzerland; or
  - (ii) in the territory comprising the United Kingdom, the European Economic Area, Switzerland and the overseas territories where at least part of that ordinary residence was in the overseas territories;]
- (d) in a case where the person's ordinary residence referred to in paragraph (c) was wholly or mainly for the purpose of receiving full-time education, was ordinarily resident in the territory comprising the United Kingdom, Gibraltar, the European Economic Area and Switzerland immediately prior to the period of ordinary residence referred to in paragraph (c).]

- F93** Sch. 1 para. 11A inserted (1.3.2021) by The Education (Student Fees, Awards and Support) (Amendment) Regulations 2021 (S.I. 2021/127), regs. 1(1), **25(13)**
- F94** Sch. 1 para. 11A(c) substituted (with application in accordance with reg. 1(3)(d) of the amending S.I.) by The Education (Student Fees, Awards and Support) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1348), regs. 1(1), **11(10)(i)**

### Children of Turkish workers

#### 12. A person who—

- (a) is the child of a Turkish worker;
- (b) is ordinarily resident in England on the first day of the first academic year of the course; and
- (c) has been ordinarily resident in the territory comprising [<sup>F95</sup>the United Kingdom, Gibraltar,] the European Economic Area, Switzerland and Turkey throughout the three-year period preceding the first day of the first academic year of the course.

- F95** Words in Sch. 1 para. 12(c) inserted (31.12.2020) by The Education (Student Fees, Awards and Support) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1181), regs. 1(3), **11(3)(i)**

#### [<sup>F96</sup>12A. A person who—

- (a) is the child of a Turkish worker (“T”), where T was ordinarily resident in the United Kingdom immediately before IP completion day;
- (b) immediately before IP completion day—
  - (i) was the child of T; and
  - (ii) was ordinarily resident in the United Kingdom;
- (c) is ordinarily resident in England on the first day of the first academic year of the course; and
- [<sup>F97</sup>(d) has been ordinarily resident throughout the three-year period preceding the first day of the first academic year of the course either—
  - (i) in the territory comprising the United Kingdom, Gibraltar, the European Economic Area, Switzerland and Turkey; or
  - (ii) in the territory comprising the United Kingdom, the European Economic Area, Switzerland, Turkey and the overseas territories where at least part of that ordinary residence was in the overseas territories.]]

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- F96** Sch. 1 para. 12A inserted (1.3.2021) by [The Education \(Student Fees, Awards and Support\) \(Amendment\) Regulations 2021 \(S.I. 2021/127\)](#), regs. 1(1), **25(14)**
- F97** Sch. 1 para. 12A(d) substituted (with application in accordance with reg. 1(3)(d) of the amending S.I.) by [The Education \(Student Fees, Awards and Support\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/1348\)](#), regs. 1(1), **11(10)(m)**

### [<sup>F98</sup>Long Residence

#### 13.—(1) A person—

- (a) who on the first day of the first academic year of the course either—
- (i) is under the age of 18 and has lived in the United Kingdom throughout the seven-year period preceding the first day of the first academic year of the course; or
  - (ii) is aged 18 or above and, preceding the first day of the first academic year of the course, has lived in the United Kingdom throughout either—
    - (aa) half their life; or
    - (bb) a period of twenty years;
- (b) who is ordinarily resident in England [<sup>F99</sup>on the first day of the first academic year of the course];
- (c) who has been ordinarily resident in the United Kingdom and Islands throughout the three-year period preceding the first day of the first academic year of the course; and
- (d) subject to sub-paragraph (2), whose residence in the United Kingdom and Islands has not during any part of the period referred to in paragraph (c) been wholly or mainly for the purpose of receiving full-time education.

(2) Paragraph (d) of sub-paragraph (1) does not apply to a person who is treated as being ordinarily resident in the United Kingdom and Islands in accordance with paragraph 1(4).]

- F98** Sch. 1 para. 13 substituted (3.3.2017) by [The Education \(Student Fees, Awards and Support\) \(Amendment\) Regulations 2017 \(S.I. 2017/114\)](#), regs. 1(2), **24(c)**
- F99** Words in Sch. 1 para. 13(1)(b) inserted (23.12.2021) by [The Education \(Student Fees, Awards and Support\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/1348\)](#), regs. 1(1), **10**

### [<sup>F100</sup>Persons granted leave under [<sup>F101</sup>one of the Afghan Schemes]

14. A person granted leave under [<sup>F102</sup>one of the Afghan Schemes], who is ordinarily resident in England on the first day of the first academic year of the course.]

- F100** Sch. 1 para. 14 inserted (with application in accordance with reg. 1(3)(c) of the amending S.I.) by [The Education \(Student Fees, Awards and Support\) \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/1348\)](#), regs. 1(1), **9(10)**
- F101** Words in Sch. 1 para. 14 heading substituted (15.2.2022) by [The Education \(Student Fees, Awards and Support\) \(Amendment\) Regulations 2022 \(S.I. 2022/57\)](#), regs. 1(1), **12** (with reg. 1(3))
- F102** Words in Sch. 1 para. 14 substituted (15.2.2022) by [The Education \(Student Fees, Awards and Support\) \(Amendment\) Regulations 2022 \(S.I. 2022/57\)](#), regs. 1(1), **12** (with reg. 1(3))



[<sup>F103</sup>**Evacuated or assisted British nationals from Afghanistan**

**15.** An evacuated or assisted British national from Afghanistan who is ordinarily resident in England on the first day of the first academic year of the course.]

**F103** Sch. 1 para. 15 inserted (with application in accordance with reg. 1(3)(a) of the amending S.I.) by [The Education \(Student Fees, Awards and Support\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/534\)](#), regs. 1(1), **3(4)(b)**

[<sup>F104</sup>**Persons granted leave under one of the Ukraine Schemes**

**16.** A person granted leave under one of the Ukraine Schemes, who is ordinarily resident in England on the first day of the first academic year of the course.]

**F104** Sch. 1 para. 16 inserted (with application in accordance with reg. 1(4)(a) of the amending S.I.) by [The Education \(Student Fees, Awards and Support\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/534\)](#), regs. 1(1), **4(12)**

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- Sch. 1 para. 14 heading substituted by [S.I. 2023/74 reg. 37\(2\)\(a\)](#)
- Sch. 1 para. 16 substituted by [S.I. 2023/74 reg. 37\(3\)](#)
- Sch. 1 para. 1(4) words inserted by [S.I. 2019/139 reg. 7\(2\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Amending Regulations revoked immediately before IP completion day by S.I. 2020/1181, regs. 1(2). 2)
- Sch. 1 para. 1(5) words inserted by [S.I. 2019/139 reg. 7\(2\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Amending Regulations revoked immediately before IP completion day by S.I. 2020/1181, regs. 1(2). 2)
- Sch. 1 para. 1(6) words inserted by [S.I. 2019/139 reg. 7\(2\)\(c\)](#) (This amendment not applied to legislation.gov.uk. Amending Regulations revoked immediately before IP completion day by S.I. 2020/1181, regs. 1(2). 2)
- Sch. 1 para. 3(1)(d) words inserted by [S.I. 2019/139 reg. 7\(3\)\(a\)\(i\)](#) (This amendment not applied to legislation.gov.uk. Amending Regulations revoked immediately before IP completion day by S.I. 2020/1181, regs. 1(2). 2)
- Sch. 1 para. 6(1)(c) words inserted by [S.I. 2019/139 reg. 7\(3\)\(a\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. Amending Regulations revoked immediately before IP completion day by S.I. 2020/1181, regs. 1(2). 2)
- Sch. 1 para. 7(b) words inserted by [S.I. 2019/139 reg. 7\(3\)\(a\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. Amending Regulations revoked immediately before IP completion day by S.I. 2020/1181, regs. 1(2). 2)
- Sch. 1 para. 8(1)(d) words inserted by [S.I. 2019/139 reg. 7\(3\)\(a\)\(iv\)](#) (This amendment not applied to legislation.gov.uk. Amending Regulations revoked immediately before IP completion day by S.I. 2020/1181, regs. 1(2). 2)
- Sch. 1 para. 8(1)(e) words inserted by [S.I. 2019/139 reg. 7\(3\)\(a\)\(iv\)](#) (This amendment not applied to legislation.gov.uk. Amending Regulations revoked immediately before IP completion day by S.I. 2020/1181, regs. 1(2). 2)
- Sch. 1 para. 9(1)(c) words inserted by [S.I. 2019/139 reg. 7\(3\)\(b\)\(i\)](#) (This amendment not applied to legislation.gov.uk. Amending Regulations revoked immediately before IP completion day by S.I. 2020/1181, regs. 1(2). 2)
- Sch. 1 para. 9(1)(d) words inserted by [S.I. 2019/139 reg. 7\(3\)\(b\)\(i\)](#) (This amendment not applied to legislation.gov.uk. Amending Regulations revoked immediately before IP completion day by S.I. 2020/1181, regs. 1(2). 2)
- Sch. 1 para. 9(2) words inserted by [S.I. 2019/139 reg. 7\(3\)\(b\)\(i\)](#) (This amendment not applied to legislation.gov.uk. Amending Regulations revoked immediately before IP completion day by S.I. 2020/1181, regs. 1(2). 2)
- Sch. 1 para. 10(1)(d) words inserted by [S.I. 2019/139 reg. 7\(3\)\(c\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. Amending Regulations revoked immediately before IP completion day by S.I. 2020/1181, regs. 1(2). 2)
- Sch. 1 para. 10A(1)(d) words inserted by [S.I. 2019/139 reg. 7\(3\)\(d\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. Amending Regulations revoked immediately before IP completion day by S.I. 2020/1181, regs. 1(2). 2)
- Sch. 1 para. 12(c) words inserted by [S.I. 2019/139 reg. 7\(3\)\(f\)](#) (This amendment not applied to legislation.gov.uk. Amending Regulations revoked immediately before IP completion day by S.I. 2020/1181, regs. 1(2). 2)
- Sch. 1 para. 1(2A) words inserted by [S.I. 2023/74 reg. 32](#)
- Sch. 1 para. 1(1) words omitted by [S.I. 2019/139 reg. 7\(2\)\(a\)\(i\)](#) (This amendment not applied to legislation.gov.uk. Amending Regulations revoked immediately before IP completion day by S.I. 2020/1181, regs. 1(2). 2)

- Sch. 1 para. 1(1) words omitted by [S.I. 2019/139 reg. 7\(2\)\(a\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. Amending Regulations revoked immediately before IP completion day by S.I. 2020/1181, regs. 1(2). 2)
- Sch. 1 para. 10(1)(a) words omitted by [S.I. 2019/139 reg. 7\(3\)\(c\)\(i\)](#) (This amendment not applied to legislation.gov.uk. Amending Regulations revoked immediately before IP completion day by S.I. 2020/1181, regs. 1(2). 2)
- Sch. 1 para. 10(2) words omitted by [S.I. 2019/139 reg. 7\(3\)\(c\)\(i\)](#) (This amendment not applied to legislation.gov.uk. Amending Regulations revoked immediately before IP completion day by S.I. 2020/1181, regs. 1(2). 2)
- Sch. 1 para. 10A(1)(a) words omitted by [S.I. 2019/139 reg. 7\(3\)\(d\)\(i\)](#) (This amendment not applied to legislation.gov.uk. Amending Regulations revoked immediately before IP completion day by S.I. 2020/1181, regs. 1(2). 2)
- Sch. 1 para. 10A(2) words omitted by [S.I. 2019/139 reg. 7\(3\)\(d\)\(i\)](#) (This amendment not applied to legislation.gov.uk. Amending Regulations revoked immediately before IP completion day by S.I. 2020/1181, regs. 1(2). 2)
- Sch. 1 para. 3(2) words omitted by [S.I. 2023/74 reg. 8\(a\)](#)
- Sch. 1 para. 4A(4) words omitted by [S.I. 2023/74 reg. 8\(b\)](#)
- Sch. 1 para. 2A(1)(a) words substituted by [S.I. 2023/74 reg. 6\(a\)](#)
- Sch. 1 para. 8(1)(c) words substituted by [S.I. 2023/74 reg. 6\(b\)](#)
- Sch. 1 para. 8A(1)(d) words substituted by [S.I. 2023/74 reg. 6\(c\)](#)
- Sch. 1 para. 1(1) words substituted by [S.I. 2023/74 reg. 9\(a\)](#)
- Sch. 1 para. 1(1) words substituted by [S.I. 2023/74 reg. 9\(b\)](#)
- Sch. 1 para. 4(1)(c) words substituted by [S.I. 2023/74 reg. 11\(2\)\(a\)](#)
- Sch. 1 para. 4(2)(d) words substituted by [S.I. 2023/74 reg. 11\(2\)\(b\)](#)
- Sch. 1 para. 4(3)(e) words substituted by [S.I. 2023/74 reg. 11\(2\)\(c\)](#)
- Sch. 1 para. 4A(1) words substituted by [S.I. 2023/74 reg. 11\(3\)\(a\)](#)
- Sch. 1 para. 4A(2)(c) words substituted by [S.I. 2023/74 reg. 11\(3\)\(b\)](#)
- Sch. 1 para. 4A(3)(d) words substituted by [S.I. 2023/74 reg. 11\(3\)\(c\)](#)
- Sch. 1 para. 4B words substituted by [S.I. 2023/74 reg. 11\(4\)](#)
- Sch. 1 para. 4C words substituted by [S.I. 2023/74 reg. 11\(5\)](#)
- Sch. 1 para. 4D words substituted by [S.I. 2023/74 reg. 11\(6\)](#)
- Sch. 1 para. 4E words substituted by [S.I. 2023/74 reg. 11\(7\)](#)
- Sch. 1 para. 5(1) words substituted by [S.I. 2023/74 reg. 11\(8\)\(a\)](#)
- Sch. 1 para. 5(2)(d) words substituted by [S.I. 2023/74 reg. 11\(8\)\(b\)](#)
- Sch. 1 para. 5(3)(e) words substituted by [S.I. 2023/74 reg. 11\(8\)\(c\)](#)
- Sch. 1 para. 14 words substituted by [S.I. 2023/74 reg. 11\(9\)](#)
- Sch. 1 para. 15 words substituted by [S.I. 2023/74 reg. 11\(10\)](#)

**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

- blanket amendment words substituted by [S.I. 2023/1071 Sch. para. 1](#)

**Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):**

- Sch. 1 para. 11(1)(a)-(d) Sch. 1 para. 11(a)-(d) renumbered as Sch. 1 para. 11(1)(a)-(d) by [S.I. 2019/139 reg. 7\(3\)\(e\)\(i\)](#) (This amendment not applied to legislation.gov.uk. Amending Regulations revoked immediately before IP completion day by S.I. 2020/1181, regs. 1(2). 2)
- Sch. 1 para. 14(1) Sch. 1 para. 14 renumbered as Sch. 1 para. 14(1) by [S.I. 2023/74 reg. 37\(2\)\(b\)](#)
- Sch. 1 para. 9(4) inserted by [S.I. 2019/139 reg. 7\(3\)\(b\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. Amending Regulations revoked immediately before IP completion day by S.I. 2020/1181, regs. 1(2). 2)
- Sch. 1 para. 11(2) inserted by [S.I. 2019/139 reg. 7\(3\)\(e\)\(iii\)](#) (This amendment not applied to legislation.gov.uk. Amending Regulations revoked immediately before IP completion day by S.I. 2020/1181, regs. 1(2). 2)

- Sch. 1 para. 4C inserted by [S.I. 2020/46 reg. 2\(3\)\(g\)](#) (This amendment not applied to [legislation.gov.uk](#). S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- Sch. 1 para. 4D inserted by [S.I. 2020/46 reg. 3\(3\)\(j\)](#) (This amendment not applied to [legislation.gov.uk](#). S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- Sch. 1 para. 14(2)-(4) inserted by [S.I. 2023/74 reg. 37\(2\)\(c\)](#)
- Sch. 1 para. 11(1)(c) words inserted by [S.I. 2019/139 reg. 7\(3\)\(e\)\(ii\)](#) (This amendment not applied to [legislation.gov.uk](#). Amending Regulations revoked immediately before IP completion day by S.I. 2020/1181, regs. 1(2). 2)
- Sch. 1 para. 11(1)(d) words inserted by [S.I. 2019/139 reg. 7\(3\)\(e\)\(ii\)](#) (This amendment not applied to [legislation.gov.uk](#). Amending Regulations revoked immediately before IP completion day by S.I. 2020/1181, regs. 1(2). 2)
- Sch. 2 para. 12 inserted by [S.I. 2023/74 reg. 41](#)
- Sch. 4 para. 5(3)-(5A) substituted for Sch. 4 para. 5(3)-(5) by [S.I. 2020/46 reg. 10\(3\)\(b\)\(i\)](#) (This amendment not applied to [legislation.gov.uk](#). S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- Sch. 6 para. 3(3) inserted by [S.I. 2020/46 reg. 10\(4\)\(b\)\(ii\)](#) (This amendment not applied to [legislation.gov.uk](#). S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- Sch. 6 para. 5(2)-(4A) substituted for Sch. 6 para. 5(2)-(4) by [S.I. 2020/46 reg. 10\(4\)\(c\)\(i\)](#) (This amendment not applied to [legislation.gov.uk](#). S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 2(1ZA)(1ZB) inserted by [S.I. 2023/74 reg. 42\(3\)](#)
- reg. 2(1ZA)(e)(ii) words substituted by [S.I. 2023/521 reg. 5\(2\)\(b\)](#)
- reg. 2(14)(15) inserted by [S.I. 2020/46 reg. 4\(1\)\(a\)\(iv\)](#) (This amendment not applied to [legislation.gov.uk](#). S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 2A inserted by [S.I. 2023/74 reg. 13](#)
- reg. 2A(3)(h) words inserted by [S.I. 2023/74 reg. 33\(3\)\(a\)](#)
- reg. 2A(3)(i) words inserted by [S.I. 2023/74 reg. 33\(3\)\(b\)](#)
- reg. 2A(5)(d) and word inserted by [S.I. 2023/74 reg. 43\(a\)](#)
- reg. 2A(6)(d) and word inserted by [S.I. 2023/74 reg. 43\(b\)](#)
- reg. 2A(7)(a) words substituted by [S.I. 2023/521 reg. 5\(3\)\(a\)](#)
- reg. 2A(7)(c) word substituted by [S.I. 2023/521 reg. 5\(3\)\(b\)](#)
- reg. 2B inserted by [S.I. 2023/74 reg. 44](#)
- reg. 4(12C) inserted by [S.I. 2020/46 reg. 3\(3\)\(b\)](#) (This amendment not applied to [legislation.gov.uk](#). S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 4(13C)(a)(i)(cc) word substituted by [S.I. 2023/74 reg. 49\(4\)\(a\)](#)
- reg. 4(13D)(a)(i)(cc) word substituted by [S.I. 2023/74 reg. 49\(5\)\(a\)](#)
- reg. 5(2ZZA) inserted by [S.I. 2020/46 reg. 4\(1\)\(b\)\(i\)](#) (This amendment not applied to [legislation.gov.uk](#). S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 12(1)(b)(iii)(aa) word substituted by [S.I. 2020/46 reg. 18\(2\)](#) (This amendment not applied to [legislation.gov.uk](#). S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 17(j) inserted by [S.I. 2020/46 reg. 2\(3\)\(b\)\(ii\)](#) (This amendment not applied to [legislation.gov.uk](#). S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 17(k) inserted by [S.I. 2020/46 reg. 3\(3\)\(c\)](#) (This amendment not applied to [legislation.gov.uk](#). S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 22(2A)(2B) inserted by [S.I. 2023/74 reg. 39\(1\)\(b\)](#)
- reg. 38(7)(e)(ic) omitted by [S.I. 2023/98 Sch. para. 42](#)
- reg. 38(8)-(8B) substituted for reg. 38(8) by [S.I. 2023/74 reg. 17](#)
- reg. 41(8)-(8B) substituted for reg. 41(8) by [S.I. 2023/74 reg. 18](#)
- reg. 45(11)(11A) substituted for reg. 45(11) by [S.I. 2023/74 reg. 19](#)











- reg. 77(3)(i) sum substituted by [S.I. 2020/46 Sch.](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 77(3)(i) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 77(3)(iii) sum substituted by [S.I. 2020/46 Sch.](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 77(3)(iii) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 77(3)(ii) sum substituted by [S.I. 2020/46 Sch.](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 77(3)(ii) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 77(3)(iv) sum substituted by [S.I. 2020/46 Sch.](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 77(3)(iv) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 80A(2)(i) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 80A(2)(iii) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 80A(2)(ii) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 80A(2)(iv) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 80A(3)(i) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 80A(3)(iii) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 80A(3)(ii) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 80A(3)(iv) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 80B(2)(i) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 80B(2)(iii) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 80B(2)(ii) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 80B(2)(iv) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 80B(4)(i) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 80B(4)(iii) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 80B(4)(ii) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 80B(4)(iv) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 85(1)(1A) substituted for reg. 85(1) by [S.I. 2023/74 reg. 24\(2\)](#)
- reg. 85(2)(i) inserted by [S.I. 2020/46 reg. 2\(3\)\(c\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 85(2)(j) inserted by [S.I. 2020/46 reg. 3\(3\)\(d\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 137(10C) inserted by [S.I. 2020/46 reg. 3\(3\)\(e\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 138(4)(k) inserted by [S.I. 2020/46 reg. 2\(3\)\(d\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 138(4)(l) inserted by [S.I. 2020/46 reg. 3\(3\)\(f\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 138A(2)(i) inserted by [S.I. 2020/46 reg. 2\(3\)\(e\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 138A(2)(j) inserted by [S.I. 2020/46 reg. 3\(3\)\(g\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 139(2A)(ca) inserted by [S.I. 2023/74 reg. 40](#)
- reg. 139(2ZAA) inserted by [S.I. 2020/46 reg. 4\(1\)\(g\)\(i\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)

- reg. 147(8)-(8B) substituted for reg. 147(8) by [S.I. 2023/74 reg. 27](#)
- reg. 157B(6)(a)(i)(ab) words omitted by [S.I. 2020/46 reg. 8\(1\)\(b\)\(i\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 157B(6)(a)(i)(ab) words substituted by [S.I. 2020/46 reg. 8\(1\)\(b\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 157G(1)(a) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 157G(1)(b) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 157G(1)(c) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 157G(1)(d) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 157J(1)(a) sum substituted by [S.I. 2020/46 Sch.](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 157J(1)(a) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 157J(1)(b) sum substituted by [S.I. 2020/46 Sch.](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 157J(1)(b) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 157J(1)(c) sum substituted by [S.I. 2020/46 Sch.](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 157J(1)(c) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 157J(1)(d) sum substituted by [S.I. 2020/46 Sch.](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 157J(1)(d) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 159(15C) inserted by [S.I. 2020/46 reg. 3\(3\)\(h\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 160(2)(i) inserted by [S.I. 2020/46 reg. 2\(3\)\(f\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 160(2)(j) inserted by [S.I. 2020/46 reg. 3\(3\)\(i\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 161(3ZAA) inserted by [S.I. 2020/46 reg. 4\(1\)\(i\)\(i\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 166(6) inserted by [S.I. 2023/74 reg. 31\(3\)](#)