

SCHEDULE 1

ELIGIBLE STUDENTS

PART 2

Categories

[^{F1}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—

[^{F2}(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).]

F1 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)**

F2 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)**

[^{F3}**2A.**—(1) A person—

(a) who is settled in the United Kingdom [^{F4}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 [^{F5}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; [^{F6}and]

[who did not move to England from the Islands for the purpose of undertaking the current ^{F7}(e) course, or a course which, disregarding any intervening vacation, the person undertook immediately before the current course.]

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(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).]

F3	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)
F4	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)
F5	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)
F6	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)
F7	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—

[^{F8}(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;

^{F9}(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 [^{F10}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 [^{F11}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

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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 [^{F12}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.]

[^{F13}(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).]

[^{F14}(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.]

F8 Sch. 1 para. 3(1)(a) substituted (1.3.2021) by The Education (Student Fees, Awards and Support) (Amendment) Regulations 2021 (S.I. 2021/127), regs. 1(1), **25(5)(a)**

F9 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 The Education (Student Fees, Awards and Support) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1348), regs. 1(1), **12(3)**

F10 Words in Sch. 1 para. 3(1)(a)(iv)(bb) 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(b)(i)**

F11 Words in Sch. 1 para. 3(1)(a)(iv)(cc) 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(b)(ii)**

F12 Words in Sch. 1 para. 3(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)(d)**

F13 Sch. 1 para. 3(2) inserted (1.3.2021) by The Education (Student Fees, Awards and Support) (Amendment) Regulations 2021 (S.I. 2021/127), regs. 1(1), **25(5)(b)**

F14 Sch. 1 para. 3(3) 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(b)(iii)**

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

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- (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.

[^{F15}Persons granted stateless leave and their family members

4A.—[^{F16}(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;
 - [^{F17}(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;
 - [^{F18}(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).]

F15 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)

F16 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)

F17 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)**

F18 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)**

[^{F19}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.]

F19 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)**

[^{F20}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.]

F20 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)**

[^{F21}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.]

F21 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)**

[^{F22}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.]

F22 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.—^{F23}(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—

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- (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”);
- [^{F24}(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 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;
 - [^{F25}(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.]

F23 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)**

F24 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)**

F25 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 [^{F26}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).

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F26 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)**

[^{F27}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;
 - (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

[^{F28}(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.]

F27 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)**

F28 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.—[^{F29}(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 [^{F30}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 ^{M1}, as extended by the EEA Agreement.

[^{F31}(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.]

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- F29** 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)**
- F30** 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)**
- F31** 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

- M1** OJ No L257, 19.10.1968, p2 (OJ/SE 1968 (II) p475).

- [^{F32}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;
- [^{F33}(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.]

- F32** 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)**
- F33** 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 [^{F34}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;

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- (d) has been ordinarily resident in the territory comprising [^{F35}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 [^{F36}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 Agreement) or a person who [^{F37}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 [^{F38}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.

[^{F39}(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.]

F34	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), 11(3)(d)(i)
F35	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), 11(3)(d)(ii)
F36	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), 11(3)(d)(ii)
F37	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), 11(3)(d)(iii)(aa)
F38	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), 11(3)(d)(iii)(bb)
F39	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), 11(3)(d)(iv)

[^{F40}**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

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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.]

F40 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 [^{F41}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 ^{F42}... in England; or
 - (ii) undertaking [^{F43}an intensive course], designated part-time course or a designated postgraduate course in England;
- (c) has been ordinarily resident in the territory comprising [^{F44}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 [^{F45}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 [^{F46}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.

[^{F47}(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.]

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| <p>F41 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)</p> <p>F42 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)</p> <p>F43 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)</p> <p>F44 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)</p> <p>F45 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)</p> <p>F46 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)</p> <p>F47 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)</p> |
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[^{F48}**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, ^{F49}... the European Economic Area [^{F50}, 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, ^{F51}... the European Economic Area [^{F52}, 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, ^{F53}... the European Economic Area [^{F54}, Switzerland and the overseas territories] in accordance with paragraph 1(4).]

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- F48** 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)**
- F49** 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)**
- F50** 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)**
- F51** 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)**
- F52** 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)**
- F53** 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)**
- F54** 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)**

[^{F48}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.

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(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).]

F48 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)**

[^{F55}**9BA.**—(1) A person—

- (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).]

F55 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)**

[^{F56}**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;

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- (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 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).]

F56 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)**

[^{F48}9C.—(1) A person—

- (a) who is a family member of a person who is [^{F57}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; [^{F58}and]

[who did not move to England from the Islands for the purpose of undertaking the current ^{F59}(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).]

F48 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)**

F57 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**

F58 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)**

F59 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)**

^{F48}Persons resident in Gibraltar

^{F60}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;
- (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).]]

F48 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)**

F60 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)**

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[^{F61}EU nationals ordinarily resident in the United Kingdom and Islands]

10.—(1) A person who—

- (a) is an EU national ^{F62}... 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 ordinarily resident in the territory comprising [^{F63}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 [^{F64}EU national]^{F65}... on the first day of the first academic year of the course is treated as being satisfied.

- F61** 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)**
- F62** 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)**
- F63** 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)**
- F64** 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**
- F65** 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)**

[^{F66}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 [^{F67}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.]]

- F66** 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)**
- F67** 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)**

[^{F68}10A.—(1) A person who—

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- (a) is an EU national ^{F69}... 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 [^{F70}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 EU national ^{F71}... on the first day of the first academic year of the course is treated as being satisfied.]

- F68** 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**
- F69** 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)**
- F70** 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)**
- F71** 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.—^{F72}(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 [^{F73}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 [^{F74}the United Kingdom, Gibraltar,] the European Economic Area and Switzerland immediately before the period of ordinary residence referred to in paragraph (c).

^{F75}(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.]

- F72** 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)**
- F73** 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)**
- F74** 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)**

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F75 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)**

[^{F76}**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;
- [^{F77}(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;]
- (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).]

F76 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)**

F77 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 [^{F78}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.

F78 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)**

[^{F79}**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

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- [^{F80}(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.]]

F79 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)**

F80 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)**

[^{F81}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 [^{F82}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).]

F81 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)**

F82 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**

[^{F83}Persons granted leave under [^{F84}one of the Afghan Schemes]

14. A person granted leave under [^{F85}one of the Afghan Schemes], who is ordinarily resident in England on the first day of the first academic year of the course.]

F83 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)**

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- F84** 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))
- F85** 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))

[^{F86} **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.]

- F86** 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)**

[^{F87} **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.]

- F87** 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)**

Changes to legislation:

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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. 47(2A)(v)(vi) substituted for reg. 47(2A)(v) by [S.I. 2020/46 reg. 6\(2\)\(b\)\(iii\)](#) (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. 47(2B)(v)(vi) substituted for reg. 47(2B)(v) by [S.I. 2020/46 reg. 6\(2\)\(d\)\(iii\)](#) (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. 47(2B)(iv) word omitted by [S.I. 2020/46 reg. 6\(2\)\(d\)\(ii\)](#) (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. 47(2AA) word substituted by [S.I. 2020/46 reg. 6\(2\)\(c\)\(i\)](#) (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. 47(2AA)(i) word omitted by [S.I. 2020/46 reg. 6\(2\)\(c\)\(ii\)](#) (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. 47(2AA)(ii)(iii) substituted for reg. 47(2AA)(ii) by [S.I. 2020/46 reg. 6\(2\)\(c\)\(iii\)](#) (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. 47(2BA) word substituted by [S.I. 2020/46 reg. 6\(2\)\(e\)\(i\)](#) (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. 47(2BA)(i) word omitted by [S.I. 2020/46 reg. 6\(2\)\(e\)\(iii\)](#) (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. 47(2BA)(i) words inserted by [S.I. 2020/46 reg. 6\(2\)\(e\)\(ii\)](#) (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. 47(2BA)(ii)(iii) substituted for reg. 47(2BA)(ii) by [S.I. 2020/46 reg. 6\(2\)\(e\)\(iv\)](#) (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. 47(5A)(5B) inserted by [S.I. 2020/46 reg. 6\(2\)\(f\)](#) (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. 76(9)(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. 76(9)(ii) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 76(9)(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. 76(9)(iv) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 77(2)(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(2)(i) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 77(2)(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(2)(iii) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 77(2)(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(2)(ii) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 77(2)(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(2)(iv) sum substituted by [S.I. 2023/74 Sch.](#)
- 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\(3\)](#)