
STATUTORY INSTRUMENTS

2022 No. 534

EDUCATION, ENGLAND

The Education (Student Fees, Awards and Support) (Amendment) (No. 2) Regulations 2022

<i>Made</i>	- - - -	<i>11th May 2022</i>
<i>Laid before Parliament</i>		<i>13th May 2022</i>
<i>Coming into force</i>	- -	<i>3rd June 2022</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 1 and 2 of the Education (Fees and Awards) Act 1983⁽¹⁾, sections 22 and 42(6) of the Teaching and Higher Education Act 1998⁽²⁾ and sections 10(4)(b) and 119(5) of the Higher Education and Research Act 2017⁽³⁾.

PART 1

Introductory

Citation, commencement, extent and application

1.—(1) These Regulations may be cited as the Education (Student Fees, Awards and Support) (Amendment) (No. 2) Regulations 2022 and come into force on 3rd June 2022.

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- (1) 1983 c. 40. Section 1 was amended by paragraph 91 of Schedule 12 to the Education Reform Act 1988 (c. 40); paragraph 19 of Schedule 8 to the Further and Higher Education Act 1992 (c. 13); paragraph 8 of Schedule 9 to the Further and Higher Education (Scotland) Act 1992 (c. 37); paragraph 7 of Schedule 2 to the Education Act 1994 (c. 30); paragraph 57 of Schedule 37 to the Education Act 1996 (c. 56); paragraph 5 of Schedule 3 to the Teaching and Higher Education Act 1998 (c. 30); paragraph 11 of Schedule 9 to the Learning and Skills Act 2000 (c. 21); paragraph 5 of Schedule 21, and Part 3 of Schedule 22, to the Education Act 2002 (c. 32); paragraph 9 of Schedule 14 to the Education Act 2005 (c. 18); paragraph 5 of Schedule 5, and paragraph 5 of Schedule 16, to the Education Act 2011 (c. 21); paragraph 33 of Schedule 14 to the Deregulation Act 2015 (c. 20); S.I. 2005/3238, S.I. 2010/1080 and S.I. 2010/1158. Section 2 was amended by paragraph 1 of Schedule 4 to the Teaching and Higher Education Act 1998.
- (2) 1998 c. 30. Section 22 was amended by section 146(2) of, and paragraph 1 of Schedule 11 to, the Learning and Skills Act 2000 (c. 21); paragraph 236 of Schedule 6 to the Income Tax (Earnings and Pensions) Act 2003 (c. 1); section 147(3) of the Finance Act 2003 (c. 14); sections 42(1) to (3) of, and paragraph 1 of Schedule 7 to, the Higher Education Act 2004 (c. 8); section 257(2) of the Apprenticeships, Skills, Children and Learning Act 2009 (c. 22); section 76(1) and (2)(a) of the Education Act 2011 (c. 21); section 88(2) to (5) of the Higher Education and Research Act 2017 (c. 29); section 15 of the Skills and Post-16 Education Act 2022 (c. 21) and S.I. 2013/1881. Section 22 is also amended by section 86(2) to (7) of the Higher Education and Research Act 2017 but those amendments are not yet in force. Section 42 was amended by paragraph 9 of Schedule 12 to the Education Act 2002 (c. 32); paragraph 9 of Schedule 6 to the Higher Education Act 2004; and paragraph 15 of Schedule 2 to the Education Act 2011. See section 43(1) for the definitions of “prescribed” and “regulations”.
- (3) 2017 c. 29. See section 10(9) for the definition of “prescribed”.

(2) These Regulations extend to England and Wales.

(3) The following regulations apply in relation to the provision of support to a student in relation to a course which begins on or after 1st August 2022, whether or not anything done under these Regulations is done before, on, or after that date—

- (a) regulation 3 (eligibility of evacuated or assisted British nationals from Afghanistan);
- (b) regulation 6 (evacuated or assisted British nationals from Afghanistan: fees and awards);
- (c) regulation 9 (eligibility of evacuated or assisted British nationals from Afghanistan: European University Institute);
- (d) regulation 12 (eligibility of evacuated or assisted British nationals from Afghanistan: further education loans);
- (e) regulation 15 (eligibility of evacuated or assisted British nationals from Afghanistan: Master’s degrees);
- (f) regulation 18 (evacuated or assisted British nationals from Afghanistan: fee limit condition);
- (g) regulation 21 (eligibility of evacuated or assisted British nationals from Afghanistan: Doctoral degrees); and
- (h) regulation 24 (eligibility of evacuated or assisted British nationals from Afghanistan: short courses).

(4) The following regulations apply in relation to the provision of support to a student in relation to an academic year which begins on or after 1st August 2022, whether or not anything done under these Regulations is done before, on, or after that date—

- (a) regulation 4 (eligibility of persons from Ukraine);
- (b) regulation 7 (persons from Ukraine: fees and awards);
- (c) regulation 10 (eligibility of persons from Ukraine: European University Institute);
- (d) regulation 13 (eligibility of persons from Ukraine: further education loans);
- (e) regulation 16 (eligibility of persons from Ukraine: Master’s degrees);
- (f) regulation 19 (persons from Ukraine: fee limit condition);
- (g) regulation 22 (eligibility of persons from Ukraine: Doctoral degrees);
- (h) regulation 25 (eligibility of persons from Ukraine: short courses).

(5) In paragraph (4), an “academic year” is the period of twelve months beginning with 1st January, 1st April, 1st July or 1st September of the calendar year in which the academic year of the course in question begins, according to whether the academic year of the course in question begins—

- (a) on or after 1st January and before 1st April;
- (b) on or after 1st April and before 1st July;
- (c) on or after 1st July and before 1st August; or
- (d) on or after 1st August and on or before 31st December.

PART 2

Amendment of the Education (Student Support) Regulations 2011

CHAPTER 1

Introductory

Amendment of the Education (Student Support) Regulations 2011

2. The Education (Student Support) Regulations 2011(4) are amended as follows.

CHAPTER 2

Evacuated or assisted British nationals from Afghanistan

Eligibility of evacuated or assisted British nationals from Afghanistan

- 3.—(1) In regulation 4(2)(a)(5), for “and 14” substitute “, 14, 15 and 16”.
- (2) In regulation 137(2)(a)(6), for “and 14” substitute “, 14, 15 and 16”.
- (3) In regulation 159(3)(a)(7), for “and 14” substitute “, 14, 15 and 16”.
- (4) In Schedule 1—
- (a) in paragraph 1(1), after the definition of “European Economic Area”, insert—
- ““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;”;
- (b) after paragraph 14(8), insert—

“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.”.

(4) S.I. 2011/1986, amended by S.I. 2012/1653, 2013/235, 630, 1728 and 3106, 2014/1766, 2103 and 2765, 2015/1951, 2016/211, 270 and 584, 2017/52, 114 and 204, 2018/136, 137, 434, 443, 472 and 599, 2019/142, 983 and 1094, 2020/48, 1181 and 1203, 2021/127, 929 and 1348, 2022/57.

(5) Regulation 4(2)(a) was substituted by S.I. 2021/127 and was amended by S.I. 2021/1348.

(6) Regulation 137(2)(a) was substituted by S.I. 2021/127 and was amended by S.I. 2021/1348.

(7) Regulation 159(3)(a) was substituted by S.I. 2021/127 and was amended by S.I. 2021/1348.

(8) Paragraph 14 was inserted by S.I. 2021/1348.

CHAPTER 3

Persons from Ukraine

Eligibility of persons from Ukraine

4.—(1) In regulation 2(1)—

- (a) after the definition of “person granted leave under one of the Afghan Schemes”⁽⁹⁾, insert—
- ““person granted leave under one of the Ukraine Schemes” means a person granted leave under the Homes for Ukraine Sponsorship Scheme, a person granted leave under the Ukraine Extension Scheme or a person granted leave under the Ukraine Family Scheme;”;

- (b) after the definition of “person granted leave under the Afghan Relocations and Assistance Policy Scheme”⁽¹⁰⁾, insert—

““person granted leave under the Homes for Ukraine Sponsorship Scheme” means a person—

- (a) who has leave to enter or remain in the United Kingdom—
- (i) under paragraph UKR 19.1 of Appendix Ukraine Scheme of the Immigration Rules as defined in section 33(1) of the Immigration Act 1971; or
- (ii) outside the Immigration Rules as defined in section 33(1) of the Immigration Act 1971 where the person—
- (aa) was residing in Ukraine immediately before 1st January 2022; and
- (bb) left Ukraine in connection with the Russian invasion which took place on 24th February 2022; and

- (b) who has been ordinarily resident in the United Kingdom and Islands throughout the period since the person was granted such leave;

“person granted leave under the Ukraine Extension Scheme” means a person—

- (a) who has leave to remain in the United Kingdom under paragraph UKR 27.1 of Appendix Ukraine Scheme of the Immigration Rules as defined in section 33(1) of the Immigration Act 1971; and
- (b) who has been ordinarily resident in the United Kingdom and Islands throughout the period since the person was granted such leave;

“person granted leave under the Ukraine Family Scheme” means a person—

- (a) who has leave to enter or remain in the United Kingdom—
- (i) under paragraph UKR 9.1 of Appendix Ukraine Scheme of the Immigration Rules as defined in section 33(1) of the Immigration Act 1971; or
- (ii) outside the Immigration Rules as defined in section 33(1) of the Immigration Act 1971 where the person—
- (aa) was residing in Ukraine immediately before 1st January 2022; and
- (bb) left Ukraine in connection with the Russian invasion which took place on 24th February 2022; and

⁽⁹⁾ The definition of “person granted leave under one of the Afghan Schemes” was inserted by [S.I. 2022/57](#).

⁽¹⁰⁾ The definition of “person granted leave under the Afghan Relocations and Assistance Policy Scheme” was inserted by [S.I. 2021/1348](#) and amended by [S.I. 2022/57](#).

- (b) who has been ordinarily resident in the United Kingdom and Islands throughout the period since the person was granted such leave;”.
- (2) In regulation 4 after paragraph (13C)(11), insert—
- “(13D) Where—
- (a) the Secretary of State determined that, by virtue of being a person granted leave under one of the Ukraine Schemes, a person (“A”) was—
- (i) an eligible student in connection with an application for support for—
- (aa) an earlier year of the current course;
- (bb) an application for support for a course in relation to which the current course is an end-on course; or
- (cc) an application for support in connection with a designated part-time course or other designated course from which A’s status as an eligible part-time student or eligible student has been transferred to the current course; or
- (ii) a qualifying student in connection with an application for support for an earlier year of the qualifying course or other qualifying course from which A’s status as a qualifying student has been transferred to the qualifying course in respect of which the student is applying for support; and
- (b) as at the day before the academic year in respect of which A is applying for support begins, the period for which the person granted leave under one of the Ukraine Schemes is allowed to stay in the United Kingdom has expired and no further leave to enter or remain has been granted,
- A’s status as an eligible or qualifying student terminates immediately before the first day of the academic year in respect of which A is applying for support.”.
- (3) In regulation 17(12), move the terminal “or” from after paragraph (m) to after paragraph (n) and after that paragraph insert—
- “(o) the student becomes a person granted leave under one of the Ukraine Schemes.”
- (4) In each of regulations 38(8), 41(8), 45(11) and 49A(2), for “or (m)” substitute “, (m), (n) or (o)”.
- (5) In regulation 85(2)(13), move the terminal “or” from after sub-paragraph (l) to after sub-paragraph (m) and after that sub-paragraph insert—
- “(n) the student becomes a person granted leave under one of the Ukraine Schemes.”.
- (6) In regulation 137, after paragraph (11C)(14), insert—
- “(11D) Where—
- (a) the Secretary of State determined that, by virtue of being a person granted leave under one of the Ukraine Schemes, a person (“A”) was an eligible part-time student in connection with—
- (i) an application for support for an earlier year of the current part-time course;
- or
- (ii) an application for support in connection with a designated course or other designated part-time course from which A’s status as an eligible part-time

(11) Regulation 4(13C) was inserted by [S.I. 2021/1348](#) and was amended by [S.I. 2022/57](#).

(12) Regulation 17 has been amended, including the insertion of paragraph (n) by [S.I. 2021/1348](#).

(13) Regulation 85(2) has been amended, including the insertion of sub-paragraph (m) by [S.I. 2021/1348](#).

(14) Regulation 137(11C) was inserted by [S.I. 2021/1348](#) and was amended by [S.I. 2022/57](#).

student or eligible student has been transferred to the current part-time course; and

- (b) as at the day before the academic year in respect of which A is applying for support begins, the period for which the person granted leave under one of the Ukraine Schemes is allowed to stay in the United Kingdom has expired and no further leave to enter or remain has been granted,

A’s status as an eligible part-time student terminates immediately before the first day of the academic year in respect of which A is applying for support.”

- (7) In regulation 138(4)(15), move the terminal “or” from after sub-paragraph (n) to after sub-paragraph (o) and after that sub-paragraph insert—

“(p) the student becomes a person granted leave under one of the Ukraine Schemes.”

- (8) In regulation 138A(2)(16), move the terminal “or” from after sub-paragraph (l) to after sub-paragraph (m) and after that sub-paragraph insert—

“(n) the student becomes a person granted leave under one of the Ukraine Schemes.”

- (9) In regulation 147(8), for “or (n)” substitute “, (n), (o) or (p)”.

- (10) In regulation 159, after paragraph (16C)(17), insert—

“(16D) Where—

- (a) the Secretary of State determined that, by virtue of being a person granted leave under one of the Ukraine Schemes, a person (“A”) was an eligible postgraduate student in connection with—

(i) an application for support for an earlier year of the current postgraduate course; or

(ii) an application for support in connection with another designated postgraduate course from which A’s status as an eligible postgraduate student has been transferred to the current postgraduate course; and

- (b) as at the day before the academic year in respect of which A is applying for support begins, the period for which the person granted leave under one of the Ukraine Schemes is allowed to stay in the United Kingdom has expired and no further leave to enter or remain has been granted,

A’s status as an eligible postgraduate student terminates immediately before the first day of the academic year in respect of which A is applying for support.”

- (11) In regulation 160(2)(18), move the terminal “or” from after sub-paragraph (l) to after sub-paragraph (m) and after that sub-paragraph insert—

“(n) the student becomes a person granted leave under one of the Ukraine Schemes.”

- (12) In Schedule 1, after paragraph 15, insert—

“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.”

(15) Regulation 138(4) has been amended, including the insertion of sub-paragraph (o) by [S.I. 2021/1348](#).

(16) Regulation 138A was inserted by [S.I. 2018/472](#); paragraph (2) has been amended, including the insertion of sub-paragraph (m) by [S.I. 2021/1348](#).

(17) Regulation 159(16C) was inserted by [S.I. 2021/1348](#) and was amended by [S.I. 2022/57](#).

(18) Regulation 160(2) has been amended, including the insertion of sub-paragraph (m) by [S.I. 2021/1348](#).

PART 3

Corresponding amendments to other Regulations

CHAPTER 1

Amendment of the Education (Fees and Awards) (England) Regulations 2007

SECTION 1

Introductory

Amendment of the Education (Fees and Awards) (England) Regulations 2007

5. The Education (Fees and Awards) (England) Regulations 2007⁽¹⁹⁾ are amended as follows.

SECTION 2

Evacuated or assisted British nationals from Afghanistan

Evacuated or assisted British nationals from Afghanistan: fees and awards

6.—(1) In each of the regulations listed in sub-paragraphs (a) to (g)⁽²⁰⁾, in the appropriate place insert “, 5B, 5C,”—

- (a) regulation 4(1)(a);
- (b) regulation 5(1)(b) and (c);
- (c) regulation 6(1)(b)(i) and (c)(i);
- (d) regulation 7(1) and (2);
- (e) regulation 8(1)(a) and (2)(a);
- (f) regulation 9(1)(a) and (2)(a);
- (g) regulation 9A(1) and (2).

(2) In Schedule 1—

- (a) in paragraph 1(1), after the definition of “EU national”, insert—

““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

⁽¹⁹⁾ S.I. 2007/779.

⁽²⁰⁾ All of the provisions listed were amended by S.I. 2021/127 and 1348; regulation 9A was inserted by S.I. 2018/1141.

- (c) who has been ordinarily resident in the United Kingdom and Islands since they were evacuated from or otherwise left Afghanistan;”;
- (b) after paragraph 5A(21), insert—

“Evacuated or assisted British nationals from Afghanistan

5B. An evacuated or assisted British national from Afghanistan who is ordinarily resident in the United Kingdom on the first day of the first academic year of the course.”.

SECTION 3

Persons from Ukraine

Persons from Ukraine: fees and awards

7.—(1) In Schedule 1—

(a) in paragraph 1(1),

(i) after the definition of “person granted leave under one of the Afghan Schemes”(22), insert—

““person granted leave under one of the Ukraine Schemes” means a person granted leave under the Homes for Ukraine Sponsorship Scheme, a person granted leave under the Ukraine Extension Scheme or a person granted leave under the Ukraine Family Scheme;”;

(ii) after the definition of “person granted leave under the Afghan Relocations and Assistance Policy Scheme”(23), insert—

““person granted leave under the Homes for Ukraine Sponsorship Scheme” means a person—

(a) who has leave to enter or remain in the United Kingdom—

(i) under paragraph UKR 19.1 of Appendix Ukraine Scheme of the Immigration Rules as defined in section 33(1) of the Immigration Act 1971; or

(ii) outside the Immigration Rules as defined in section 33(1) of the Immigration Act 1971 where the person—

(aa) was residing in Ukraine immediately before 1st January 2022; and

(bb) left Ukraine in connection with the Russian invasion which took place on 24th February 2022; and

(b) who has been ordinarily resident in the United Kingdom and Islands throughout the period since the person was granted such leave;

“person granted leave under the Ukraine Extension Scheme” means a person—

(a) who has leave to remain in the United Kingdom under paragraph UKR 27.1 of Appendix Ukraine Scheme of the Immigration Rules as defined in section 33(1) of the Immigration Act 1971; and

(21) Paragraph 5A was inserted by [S.I. 2021/1348](#).

(22) The definition of “person granted leave under one of the Afghan Schemes” was inserted by [S.I. 2022/57](#).

(23) The definition of “person granted leave under the Afghan Relocations and Assistance Policy Scheme” was inserted by [S.I. 2021/1348](#) and amended by [S.I. 2022/57](#).

- (b) who has been ordinarily resident in the United Kingdom and Islands throughout the period since the person was granted such leave;
“person granted leave under the Ukraine Family Scheme” means a person—
 - (a) who has leave to enter or remain in the United Kingdom—
 - (i) under paragraph UKR 9.1 of Appendix Ukraine Scheme of the Immigration Rules as defined in section 33(1) of the Immigration Act 1971; or
 - (ii) outside the Immigration Rules as defined in section 33(1) of the Immigration Act 1971 where the person—
 - (aa) was residing in Ukraine immediately before 1st January 2022; and
 - (bb) left Ukraine in connection with the Russian invasion which took place on 24th February 2022; and
 - (b) who has been ordinarily resident in the United Kingdom and Islands throughout the period since the person was granted such leave;”.
- (b) after paragraph 5B, insert—

“Persons granted leave under one of the Ukraine Schemes

5C. A person granted leave under one of the Ukraine Schemes who is ordinarily resident in the United Kingdom on the first day of the first academic year of the course.”.

CHAPTER 2

Amendment of the Education (Student Support) (European University Institute) Regulations 2010

SECTION 1

Introductory

Amendment of the Education (Student Support) (European University Institute) Regulations 2010

8. The Education (Student Support) (European University Institute) Regulations 2010(24) are amended as follows.

SECTION 2

Evacuated or assisted British nationals from Afghanistan

Eligibility of evacuated or assisted British nationals from Afghanistan: European University Institute

- 9.—(1) In regulation 9(2)(b)(i)(25), after “5A” insert “, 5B, 5C,”;
- (2) In Schedule 1—
 - (a) in paragraph 1(1), after the definition of “European Economic Area”, insert—
““evacuated or assisted British national from Afghanistan” means a person—

(24) [S.I. 2010/447](#).

(25) Regulation 9(2)(b) was inserted by [S.I. 2021/127](#) and amended by [S.I. 2021/1348](#).

- (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;”;
- (b) after paragraph 5A(26), insert—

“Evacuated or assisted British nationals from Afghanistan

5B. An evacuated or assisted British national from Afghanistan who is ordinarily resident in England on the relevant date.”.

SECTION 3

Persons from Ukraine

Eligibility of persons from Ukraine: European University Institute

10.—(1) In regulation 3(1), after the definition of “person granted indefinite leave to remain as a victim of domestic violence or domestic abuse”(27), insert—

- ““person granted leave under one of the Ukraine Schemes” means a person granted leave under the Homes for Ukraine Sponsorship Scheme, a person granted leave under the Ukraine Extension Scheme or a person granted leave under the Ukraine Family Scheme;
- “person granted leave under the Homes for Ukraine Sponsorship Scheme” means a person—
- (a) who has leave to enter or remain in the United Kingdom—
 - (i) under paragraph UKR 19.1 of Appendix Ukraine Scheme of the Immigration Rules as defined in section 33(1) of the Immigration Act 1971; or
 - (ii) outside the Immigration Rules as defined in section 33(1) of the Immigration Act 1971 where the person—
 - (aa) was residing in Ukraine immediately before 1st January 2022; and
 - (bb) left Ukraine in connection with the Russian invasion which took place on 24th February 2022; and
 - (b) who has been ordinarily resident in the United Kingdom and Islands throughout the period since the person was granted such leave;
- “person granted leave under the Ukraine Extension Scheme” means a person—

(26) Paragraph 5A was inserted by [S.I. 2021/1348](#).

(27) The definition of “person granted indefinite leave to remain as a victim of domestic violence or domestic abuse” was inserted by [S.I. 2020/48](#).

- (a) who has leave to remain in the United Kingdom under paragraph UKR 27.1 of Appendix Ukraine Scheme of the Immigration Rules as defined in section 33(1) of the Immigration Act 1971; and
- (b) who has been ordinarily resident in the United Kingdom and Islands throughout the period since the person was granted such leave;

“person granted leave under the Ukraine Family Scheme” means a person—

- (a) who has leave to enter or remain in the United Kingdom—
 - (i) under paragraph UKR 9.1 of Appendix Ukraine Scheme of the Immigration Rules as defined in section 33(1) of the Immigration Act 1971; or
 - (ii) outside the Immigration Rules as defined in section 33(1) of the Immigration Act 1971 where the person—
 - (aa) was residing in Ukraine immediately before 1st January 2022; and
 - (bb) left Ukraine in connection with the Russian invasion which took place on 24th February 2022; and
- (b) who has been ordinarily resident in the United Kingdom and Islands throughout the period since the person was granted such leave;”.

- (2) In regulation 9, after paragraph (11C)(28), insert—

“(11D) Where—

- (a) the Secretary of State determined that, by virtue of being a person granted leave under one of the Ukraine Schemes, a person (“A”) was an eligible person in connection with—
 - (i) an application for support for an earlier year of the current course, or
 - (ii) an application for support for a designated course at the Institute from which A’s status as an eligible student has been transferred to the current course, and
- (b) as at the day before the academic year in respect of which A is applying for support begins, the period for which the person granted leave under one of the Ukraine Schemes is allowed to stay in the United Kingdom has expired and no further leave to enter or remain has been granted,

A’s status as an eligible student terminates immediately before the first day of the academic year in respect of which A is applying for support.”.

- (3) In Schedule 1, after paragraph 5B, insert—

“Persons granted leave under one of the Ukraine Schemes

5C. A person granted leave under one of the Ukraine Schemes who is ordinarily resident in England on the relevant date.”.

CHAPTER 3

Amendment of the Further Education Loans Regulations 2012

SECTION 1

Introductory

Amendment of the Further Education Loans Regulations 2012

11. The Further Education Loans Regulations 2012⁽²⁹⁾ are amended as follows.

SECTION 2

Evacuated British nationals from Afghanistan

Eligibility of evacuated or assisted British nationals from Afghanistan: further education loans

12.—(1) In regulation 3(2)(a)(i)⁽³⁰⁾, after “5A,” insert “5B, 5C,”.

(2) In Schedule 1—

(a) in paragraph 1(1), after the definition of “European Economic Area”, insert—

““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;”;

(b) after paragraph 5A⁽³¹⁾, insert—

“Evacuated or assisted British nationals from Afghanistan

5B. An evacuated or assisted British national from Afghanistan who is ordinarily resident in the United Kingdom on the first day of the designated further education course.”.

⁽²⁹⁾ S.I. 2012/1818.

⁽³⁰⁾ Regulation 3(2)(a)(i) was substituted by S.I. 2021/127 and was amended by S.I. 2021/1348.

⁽³¹⁾ Paragraph 5A was inserted by S.I. 2021/1348.

SECTION 3

Persons from Ukraine

Eligibility of persons from Ukraine: further education loans

13.—(1) In regulation 2(1)—

- (a) after the definition of “person granted leave under one of the Afghan Schemes”**(32)**, insert—

““person granted leave under one of the Ukraine Schemes” means a person granted leave under the Homes for Ukraine Sponsorship Scheme, a person granted leave under the Ukraine Extension Scheme or a person granted leave under the Ukraine Family Scheme;”;

- (b) after the definition of “person granted leave under the Afghan Relocations and Assistance Policy Scheme”**(33)**, insert—

““person granted leave under the Homes for Ukraine Sponsorship Scheme” means a person—

- (a) who has leave to enter or remain in the United Kingdom—

(i) under paragraph UKR 19.1 of Appendix Ukraine Scheme of the Immigration Rules as defined in section 33(1) of the Immigration Act 1971; or

(ii) outside the Immigration Rules as defined in section 33(1) of the Immigration Act 1971 where the person—

(aa) was residing in Ukraine immediately before 1st January 2022; and

(bb) left Ukraine in connection with the Russian invasion which took place on 24th February 2022; and

- (b) who has been ordinarily resident in the United Kingdom and Islands throughout the period since the person was granted such leave;

“person granted leave under the Ukraine Extension Scheme” means a person—

- (a) who has leave to remain in the United Kingdom under paragraph UKR 27.1 of Appendix Ukraine Scheme of the Immigration Rules as defined in section 33(1) of the Immigration Act 1971; and

- (b) who has been ordinarily resident in the United Kingdom and Islands throughout the period since the person was granted such leave;

“person granted leave under the Ukraine Family Scheme” means a person—

- (a) who has leave to enter or remain in the United Kingdom—

(i) under paragraph UKR 9.1 of Appendix Ukraine Scheme of the Immigration Rules as defined in section 33(1) of the Immigration Act 1971; or

(ii) outside the Immigration Rules as defined in section 33(1) of the Immigration Act 1971 where the person—

(aa) was residing in Ukraine immediately before 1st January 2022; and

(bb) left Ukraine in connection with the Russian invasion which took place on 24th February 2022; and

(32) The definition of “person granted leave under one of the Afghan Schemes” was inserted by [S.I. 2022/57](#).

(33) The definition of “person granted leave under the Afghan Relocations and Assistance Policy Scheme” was inserted by [S.I. 2021/1348](#) and amended by [S.I. 2022/57](#).

- (b) who has been ordinarily resident in the United Kingdom and Islands throughout the period since the person was granted such leave;”.
- (2) In regulation 3, after paragraph (8A)(34), insert—
- “(8B) Where—
- (a) the Secretary of State has determined that, by virtue of being a person granted leave under one of the Ukraine Schemes, a person (“A”) is an eligible student in connection with an application for a fee loan for a designated further education course; and
- (b) as at the day before that course begins, the period for which the person granted leave under one of the Ukraine Schemes is allowed to stay in the United Kingdom has expired and no further leave to enter or remain has been granted, A’s status as an eligible student terminates immediately before the first day of the course.”.
- (3) In regulation 7(35), move the terminal “or” from after paragraph (l) to after paragraph (m) and after that paragraph insert—
- “(n) the student becomes a person granted leave under one of the Ukraine Schemes.”.
- (4) In Schedule 1, after paragraph 5B, insert—

“Persons granted leave under one of the Ukraine Schemes

5C. A person granted leave under one of the Ukraine Schemes who is ordinarily resident in the United Kingdom on the first day of the designated further education course.”.

CHAPTER 4

Amendment of the Education (Postgraduate Master’s Degree Loans) Regulations 2016

SECTION 1

Introductory

Amendment of the Education (Postgraduate Master’s Degree Loans) Regulations 2016

14. The Education (Postgraduate Master’s Degree Loans) Regulations 2016(36) are amended as follows.

SECTION 2

Evacuated or assisted British nationals from Afghanistan

Eligibility of evacuated or assisted British nationals from Afghanistan: Master’s degrees

- 15.**—(1) In regulation 3(2)(a)(37), after “5A,” insert “5B, 5C,”.
- (2) In Schedule 1—
- (a) in paragraph 1(1), after the definition of “European Economic Area”, insert—
- ““evacuated or assisted British national from Afghanistan” means a person—

(34) Regulation 3(8A) was inserted by [S.I. 2021/1348](#) and was amended by [S.I. 2022/57](#).

(35) Regulation 7 has been amended, including the insertion of paragraph (m) by [S.I. 2021/1348](#).

(36) [S.I. 2016/606](#).

(37) Regulation 3(2)(a) was substituted by [S.I. 2021/127](#) and amended by [S.I. 2021/1348](#).

- (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;”;
- (b) after paragraph 5A(38), insert—

“Evacuated or assisted British nationals from Afghanistan

5B. 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.”.

SECTION 3

Persons from Ukraine

Eligibility of persons from Ukraine: Master’s degrees

16.—(1) In regulation 2(1)—

- (a) after the definition of “person granted leave under one of the Afghan Schemes”(39), insert—

““person granted leave under one of the Ukraine Schemes” means a person granted leave under the Homes for Ukraine Sponsorship Scheme, a person granted leave under the Ukraine Extension Scheme or a person granted leave under the Ukraine Family Scheme;”;
- (b) after the definition of “person granted leave under the Afghan Relocations and Assistance Policy Scheme”(40), insert—

““person granted leave under the Homes for Ukraine Sponsorship Scheme” means a person—

 - (a) who has leave to enter or remain in the United Kingdom—
 - (i) under paragraph UKR 19.1 of Appendix Ukraine Scheme of the Immigration Rules as defined in section 33(1) of the Immigration Act 1971; or
 - (ii) outside the Immigration Rules as defined in section 33(1) of the Immigration Act 1971 where the person—

(38) Paragraph 5A was inserted by [S.I. 2021/1348](#).

(39) The definition of “person granted leave under one of the Afghan Schemes” was inserted by [S.I. 2022/57](#).

(40) The definition of “person granted leave under the Afghan Relocations and Assistance Policy Scheme” was inserted by [S.I. 2021/1348](#) and amended by [S.I. 2022/57](#).

- (aa) was residing in Ukraine immediately before 1st January 2022; and
 - (bb) left Ukraine in connection with the Russian invasion which took place on 24th February 2022; and
 - (b) who has been ordinarily resident in the United Kingdom and Islands throughout the period since the person was granted such leave;
- “person granted leave under the Ukraine Extension Scheme” means a person—
- (a) who has leave to remain in the United Kingdom under paragraph UKR 27.1 of Appendix Ukraine Scheme of the Immigration Rules as defined in section 33(1) of the Immigration Act 1971; and
 - (b) who has been ordinarily resident in the United Kingdom and Islands throughout the period since the person was granted such leave;
- “person granted leave under the Ukraine Family Scheme” means a person—
- (a) who has leave to enter or remain in the United Kingdom—
 - (i) under paragraph UKR 9.1 of Appendix Ukraine Scheme of the Immigration Rules as defined in section 33(1) of the Immigration Act 1971; or
 - (ii) outside the Immigration Rules as defined in section 33(1) of the Immigration Act 1971 where the person—
 - (aa) was residing in Ukraine immediately before 1st January 2022; and
 - (bb) left Ukraine in connection with the Russian invasion which took place on 24th February 2022; and
 - (b) who has been ordinarily resident in the United Kingdom and Islands throughout the period since the person was granted such leave;”.
- (2) In regulation 8(41), move the terminal “or” after paragraph (m) to after paragraph (n) and after that paragraph insert—
- “(o) the student becomes a person granted leave under one of the Ukraine Schemes.”.
- (3) In Schedule 1, after paragraph 5B, insert—

“Persons granted leave under one of the Ukraine Schemes

5C. 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.”.

CHAPTER 5

Amendment of the Higher Education (Fee Limit Condition) (England) Regulations 2017

SECTION 1

Introductory

Amendment of the Higher Education (Fee Limit Condition) (England) Regulations 2017

17. The Higher Education (Fee Limit Condition) (England) Regulations 2017(42) are amended as follows.

(41) Regulation 8 has been amended, including the insertion of paragraph (n) by [S.I. 2021/1348](#).

(42) [S.I. 2017/1189](#).

SECTION 2

Evacuated or assisted British nationals from Afghanistan

Evacuated or assisted British nationals from Afghanistan: fee limit condition

18.—(1) In regulation 4(4)(a)(**43**), after “5F,” insert “5G, 5H.”

(2) In the Schedule—

(a) in paragraph 1(1), after the definition of “European Economic Area”, insert—

““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;”;

(b) after paragraph 5F(**44**), insert—

“Evacuated or assisted British nationals from Afghanistan

5G. An evacuated or assisted British national from Afghanistan who is ordinarily resident in the United Kingdom on the first day of the first academic year of the course.”.

SECTION 3

Persons from Ukraine

Persons from Ukraine: fee limit condition

19.—(1) In regulation 2—

(a) after the definition of “person granted leave under one of the Afghan Schemes”(**45**), insert—

““person granted leave under one of the Ukraine Schemes” means a person granted leave under the Homes for Ukraine Sponsorship Scheme, a person granted leave under the Ukraine Extension Scheme or a person granted leave under the Ukraine Family Scheme;”;

(43) Regulation 4(4)(a) was substituted by [S.I. 2021/127](#) and amended by [S.I. 2021/929](#) and [1348](#).

(44) Paragraph 5F was inserted by [S.I. 2021/1348](#).

(45) The definition of “person granted leave under one of the Afghan Schemes” was inserted by [S.I. 2022/57](#).

- (b) after the definition of “person granted leave under the Afghan Relocations and Assistance Policy Scheme”(46), insert—

““person granted leave under the Homes for Ukraine Sponsorship Scheme” means a person—

- (a) who has leave to enter or remain in the United Kingdom—
- (i) under paragraph UKR 19.1 of Appendix Ukraine Scheme of the Immigration Rules as defined in section 33(1) of the Immigration Act 1971; or
- (ii) outside the Immigration Rules as defined in section 33(1) of the Immigration Act 1971 where the person—
- (aa) was residing in Ukraine immediately before 1st January 2022; and
- (bb) left Ukraine in connection with the Russian invasion which took place on 24th February 2022; and
- (b) who has been ordinarily resident in the United Kingdom and Islands throughout the period since the person was granted such leave;

“person granted leave under the Ukraine Extension Scheme” means a person—

- (a) who has leave to remain in the United Kingdom under paragraph UKR 27.1 of Appendix Ukraine Scheme of the Immigration Rules as defined in section 33(1) of the Immigration Act 1971; and
- (b) who has been ordinarily resident in the United Kingdom and Islands throughout the period since the person was granted such leave;

“person granted leave under the Ukraine Family Scheme” means a person—

- (a) who has leave to enter or remain in the United Kingdom—
- (i) under paragraph UKR 9.1 of Appendix Ukraine Scheme of the Immigration Rules as defined in section 33(1) of the Immigration Act 1971; or
- (ii) outside the Immigration Rules as defined in section 33(1) of the Immigration Act 1971 where the person—
- (aa) was residing in Ukraine immediately before 1st January 2022; and
- (bb) left Ukraine in connection with the Russian invasion which took place on 24th February 2022; and
- (b) who has been ordinarily resident in the United Kingdom and Islands throughout the period since the person was granted such leave;”.

- (2) In regulation 6(2)(47), move the terminal “or” from after sub-paragraph (l) to after sub-paragraph (m) and after that paragraph insert—

“(n) the student becomes a person granted leave under one of the Ukraine Schemes.”.

- (3) In the Schedule, after paragraph 5G, insert—

“Persons granted leave under one of the Ukraine Schemes

5H. A person granted leave under one of the Ukraine Schemes who is ordinarily resident in the United Kingdom on the first day of the first academic year of the course.”.

(46) The definition of “person granted leave under the Afghan Relocations and Assistance Policy Scheme” was inserted by [S.I. 2021/1348](#) and amended by [S.I. 2022/57](#).

(47) Regulation 6(2) has been amended, including the insertion of sub-paragraph (m) by [S.I. 2021/1348](#).

CHAPTER 6

Amendment of the Education (Postgraduate Doctoral Degree Loans and the Education (Student Loans) (Repayment) (Amendment) (No. 2) etc.) Regulations 2018

SECTION 1

Introductory

Amendment of the Education (Postgraduate Doctoral Degree Loans and the Education (Student Loans) (Repayment) (Amendment) (No. 2) etc.) Regulations 2018

20. The Education (Postgraduate Doctoral Degree Loans and the Education (Student Loans) (Repayment) (Amendment) (No. 2) etc.) Regulations 2018⁽⁴⁸⁾ are amended as follows.

SECTION 2

Evacuated or assisted British nationals from Afghanistan

Eligibility of evacuated or assisted British nationals from Afghanistan: Doctoral degrees

21.—(1) In regulation 3(2)(a)⁽⁴⁹⁾, after “6A,” insert “6B, 6C,”.

(2) In Schedule 1—

(a) in paragraph 1(1), after the definition of “European Economic Area”, insert—

““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;”;

(b) after paragraph 6A⁽⁵⁰⁾, insert—

“Evacuated or assisted British nationals from Afghanistan

6B. 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.”.

⁽⁴⁸⁾ S.I. 2018/599.

⁽⁴⁹⁾ Regulation 3(2)(a) was substituted by S.I. 2021/127 and amended by S.I. 2021/1348.

⁽⁵⁰⁾ Paragraph 6A was inserted by S.I. 2021/1348.

SECTION 3

Persons from Ukraine

Eligibility of persons from Ukraine: Doctoral degrees

22.—(1) In regulation 2(1)—

- (a) after the definition of “person granted leave under one of the Afghan Schemes”⁽⁵¹⁾, insert—

““person granted leave under one of the Ukraine Schemes” means a person granted leave under the Homes for Ukraine Sponsorship Scheme, a person granted leave under the Ukraine Extension Scheme or a person granted leave under the Ukraine Family Scheme;”;

- (b) after the definition of “person granted leave under the Afghan Relocations and Assistance Policy Scheme”⁽⁵²⁾, insert—

““person granted leave under the Homes for Ukraine Sponsorship Scheme” means a person—

- (a) who has leave to enter or remain in the United Kingdom—

(i) under paragraph UKR 19.1 of Appendix Ukraine Scheme of the Immigration Rules as defined in section 33(1) of the Immigration Act 1971; or

(ii) outside the Immigration Rules as defined in section 33(1) of the Immigration Act 1971 where the person—

(aa) was residing in Ukraine immediately before 1st January 2022; and

(bb) left Ukraine in connection with the Russian invasion which took place on 24th February 2022; and

- (b) who has been ordinarily resident in the United Kingdom and Islands throughout the period since the person was granted such leave;

“person granted leave under the Ukraine Extension Scheme” means a person—

- (a) who has leave to remain in the United Kingdom under paragraph UKR 27.1 of Appendix Ukraine Scheme of the Immigration Rules as defined in section 33(1) of the Immigration Act 1971; and

- (b) who has been ordinarily resident in the United Kingdom and Islands throughout the period since the person was granted such leave;

“person granted leave under the Ukraine Family Scheme” means a person—

- (a) who has leave to enter or remain in the United Kingdom—

(i) under paragraph UKR 9.1 of Appendix Ukraine Scheme of the Immigration Rules as defined in section 33(1) of the Immigration Act 1971; or

(ii) outside the Immigration Rules as defined in section 33(1) of the Immigration Act 1971 where the person—

(aa) was residing in Ukraine immediately before 1st January 2022; and

(bb) left Ukraine in connection with the Russian invasion which took place on 24th February 2022; and

⁽⁵¹⁾ The definition of “person granted leave under one of the Afghan Schemes” was inserted by [S.I. 2022/57](#).

⁽⁵²⁾ The definition of “person granted leave under the Afghan Relocations and Assistance Policy Scheme” was inserted by [S.I. 2021/1348](#) and amended by [S.I. 2022/57](#).

- (b) who has been ordinarily resident in the United Kingdom and Islands throughout the period since the person was granted such leave;”.
- (2) In regulation 8(**53**), move the terminal “or” from after paragraph (m) to after paragraph (n) and after that paragraph insert—
 - “(o) the student becomes a person granted leave under one of the Ukraine Schemes.”.
- (3) In Schedule 1, after paragraph 6B, insert—

“Persons granted leave under one of the Ukraine Schemes

6C. 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.”.

CHAPTER 7

Amendment of the Higher Education Short Course Loans Regulations 2022

SECTION 1

Introductory

Amendment of the Higher Education Short Course Loans Regulations 2022

23. The Higher Education Short Course Loans Regulations 2022(**54**) are amended as follows.

SECTION 2

Evacuated or assisted British nationals from Afghanistan

Eligibility of evacuated or assisted British nationals from Afghanistan: short courses

- 24.—**(1) In regulation 2(2), before “(a)” insert—
“(aa) evacuated or assisted British national from Afghanistan;”.
- (2) In Schedule 1—
(a) in paragraph 2(1), after the definition of “EU national”, insert—
““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

(53) Regulation 8 has been amended, including the insertion of paragraph (n) by [S.I. 2021/1348](#).

(54) [S.I. 2022/349](#).

- (c) who has been ordinarily resident in the United Kingdom and Islands since they were evacuated from or otherwise left Afghanistan;”;
- (b) after paragraph 26, insert—

“Evacuated or assisted British nationals from Afghanistan

27. An evacuated or assisted British national from Afghanistan who is ordinarily resident in England on the first day of the HE short course.”.

SECTION 3

Persons from Ukraine

Eligibility of persons from Ukraine: short courses

- 25.**—(1) In regulation 2(2), after “(e)”, insert—
- “(ea) “person granted leave under one of the Ukraine Schemes””;
- (2) In regulation 3(5), after paragraph (h), insert—
- “(i) where the Secretary of State determined that P was an eligible student in connection with the reference course by virtue of being a person granted leave under one of the Ukraine Schemes, the period for which P is allowed to stay in the United Kingdom has expired;”.
- (3) In regulation 6, after paragraph (9), insert—
- “(9A) This paragraph applies in relation to a person (“P”) if—
 - (a) the Secretary of State has determined that, by virtue of being a person granted leave under one of the Ukraine Schemes, P is an eligible student in connection with an application for an HESC loan for the relevant course, and
 - (b) as at the day before the current course begins, the period P is allowed to stay in the United Kingdom has expired.”.
- (4) In regulation 7(2), after paragraph (k), insert—
- “(l) the student becomes a person granted leave under one of the Ukraine Schemes.”.
- (5) In Schedule 1—
- (a) in paragraph 1(1)—
 - (i) after the definition of “person granted leave under one of the Afghan Schemes”, insert—
 - ““person granted leave under one of the Ukraine Schemes” means a person granted leave under the Homes for Ukraine Sponsorship Scheme, a person granted leave under the Ukraine Extension Scheme or a person granted leave under the Ukraine Family Scheme;”;
 - (ii) in paragraph 1(1), after the definition of “person granted leave under the Afghan Relocations and Assistance Policy Scheme”, insert—
 - ““person granted leave under the Homes for Ukraine Sponsorship Scheme” means a person—
 - (a) who has leave to enter or remain in the United Kingdom—
 - (i) under paragraph UKR 19.1 of Appendix Ukraine Scheme of the Immigration Rules as defined in section 33(1) of the Immigration Act 1971; or

- (ii) outside the Immigration Rules as defined in section 33(1) of the Immigration Act 1971 where the person—
 - (aa) was residing in Ukraine immediately before 1st January 2022; and
 - (bb) left Ukraine in connection with the Russian invasion which took place on 24th February 2022; and
- (b) who has been ordinarily resident in the United Kingdom and Islands throughout the period since the person was granted such leave;
“person granted leave under the Ukraine Extension Scheme” means a person—
 - (a) who has leave to remain in the United Kingdom under paragraph UKR 27.1 of Appendix Ukraine Scheme of the Immigration Rules as defined in section 33(1) of the Immigration Act 1971; and
 - (b) who has been ordinarily resident in the United Kingdom and Islands throughout the period since the person was granted such leave;
“person granted leave under the Ukraine Family Scheme” means a person—
 - (a) who has leave to enter or remain in the United Kingdom—
 - (i) under paragraph UKR 9.1 of Appendix Ukraine Scheme of the Immigration Rules as defined in section 33(1) of the Immigration Act 1971; or
 - (ii) outside the Immigration Rules as defined in section 33(1) of the Immigration Act 1971 where the person—
 - (aa) was residing in Ukraine immediately before 1st January 2022; and
 - (bb) left Ukraine in connection with the Russian invasion which took place on 24th February 2022; and
 - (b) who has been ordinarily resident in the United Kingdom and Islands throughout the period since the person was granted such leave;”;
- (b) after paragraph 27, insert—

“Persons granted leave under one of the Ukraine Schemes

28. A person granted leave under the one of the Ukraine Schemes who is ordinarily resident in England on the first day of the HE short course.”.

11th May 2022

Michelle Donelan
Minister of State
Department for Education

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which apply in England only, amend 8 instruments relating to financial support for students.

Part 2 of these Regulations amends the Education (Student Support) Regulations 2011 ([S.I. 2011/1986](#)) ('the Student Support Regulations').

Part 3 of these Regulations amends 7 related sets of Regulations ("the related Regulations"):

- the Education (Fees and Awards) (England) Regulations 2007 ([S.I. 2007/779](#)),
- the Education (Student Support) (European University Institute) Regulations 2010 ([S.I. 2010/447](#)),
- the Further Education Loans Regulations 2012 ([S.I. 2012/1818](#)),
- the Education (Postgraduate Master's Degree Loans) Regulations 2016 ([S.I. 2016/606](#)),
- the Higher Education (Fee Limit Condition) (England) Regulations 2017 ([S.I. 2017/1189](#)),
- the Education (Postgraduate Doctoral Degree Loans and the Education (Student Loans) (Repayment) (Amendment) (No. 2) etc.) Regulations 2018 ([S.I. 2018/599](#)) and
- the Higher Education Short Course Loans Regulations 2022 ([S.I. 2022/349](#)).

Regulation 3 amends the Student Support Regulations for new courses which begin on or after 1st August 2022 so that British nationals evacuated or assisted from Afghanistan become eligible for support. Part 3 makes corresponding changes to the related Regulations.

Regulation 4 amends the Student Support Regulations so that persons under the Ukraine Schemes (Ukraine Sponsorship Scheme, Ukraine Family Scheme and Ukraine Extension Scheme) become eligible for support for new and existing courses from the beginning of academic year 2022/23. Part 3 makes corresponding changes to the related Regulations.

An impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen.