
STATUTORY INSTRUMENTS

2022 No. 534

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

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(1) 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)(2), 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—

(1) [S.I. 2007/779](#).

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

- (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(3), 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”(4), 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”(5), 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

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

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

(5) 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](#).

- (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 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.”.