
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—
 - (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

(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](#).

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

(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](#).

- (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.”.

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(6) 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)(7), 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(8), 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”(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;
- “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—

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

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

(9) 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](#).

- (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 9, after paragraph (11C)(10), 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(**11**) 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)(**12**), 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(**13**), insert—

(11) [S.I. 2012/1818](#).

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

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

“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.”.

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”**(14)**, 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”**(15)**, 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—

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

(15) 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](#).

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- (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 3, after paragraph (8A)(16), 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(17), 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(18) are amended as follows.

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

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

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

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)(**19**), 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(**20**), 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”(**21**), 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;”;

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

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

(21) 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”(22), 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 8(23), 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.”.

(22) 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](#).

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

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⁽²⁴⁾ are amended as follows.

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)⁽²⁵⁾, 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⁽²⁶⁾, 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.”.

⁽²⁴⁾ S.I. 2017/1189.

⁽²⁵⁾ Regulation 4(4)(a) was substituted by S.I. 2021/127 and amended by S.I. 2021/929 and 1348.

⁽²⁶⁾ Paragraph 5F was inserted by S.I. 2021/1348.

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”(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;”;

- (b) after the definition of “person granted leave under the Afghan Relocations and Assistance Policy Scheme”(28), 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

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

(28) 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 6(2)(29), 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.”.

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(30) 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)(31), 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

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

(30) [S.I. 2018/599](#).

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

- (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(32), 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.”.

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”(33), 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”(34), 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

(32) Paragraph 6A was inserted by [S.I. 2021/1348](#).

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

(34) 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;”.
- (2) In regulation 8(35), 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(36) 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—

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

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

““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 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—

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

“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.”.