
STATUTORY INSTRUMENTS

2023 No. 74

The Education (Student Fees, Awards and Support) (Amendment) Regulations 2023

PART 2

Amendment of the Education (Student Support) Regulations 2011

CHAPTER 3

Eligible students, eligible part-time students and eligible postgraduate students

Amendments relating to students becoming eligible for student support in the course of an academic year

13. After regulation 2 insert—

“Meaning of “in-year qualifying event”, “protected category event”, “settled status event”, “course designation event” etc. and related matters

2A.—(1) This regulation defines “in-year qualifying event”, “protected category event” “settled status event”, “course designation event”, “part-time course designation event” and “postgraduate course designation event” and makes related provision for the purposes of these Regulations.

(2) “In-year qualifying event”, in relation to a student, means—

- (a) a protected category event which occurs after the course start date;
- (b) a settled status event;
- (c) the student becomes a person described in paragraph 3(1)(a) of Schedule 1;
- (d) where regulation 4(2A), 137(2A) or 159(3A) applies, the student becomes a person described in paragraph 12(a) of Schedule 1;
- (e) the student becomes a person described in paragraph 6A(1)(a) of Schedule 1, or where regulation 4(2A), 137(2A) or 159(3A) applies, in paragraph 6(1)(a) of Schedule 1;
- (f) the student becomes a person described in paragraph 11A(a) of Schedule 1 or, where regulation 4(2A), 137(2A) or 159(3A) applies, in paragraph 11(1)(a) of Schedule 1; or
- (g) the student becomes a person described in paragraph 9B(1)(a)(ii) of Schedule 1.

(3) “Protected category event”, in relation to a student, means—

- (a) the student or the student’s spouse, civil partner or parent is recognised as a refugee;
- (b) the student or the student’s spouse, civil partner or parent becomes a person granted stateless leave;

- (c) the student or the student’s spouse, civil partner or parent becomes a person granted humanitarian protection;
 - (d) the student becomes a person granted section 67 leave;
 - (e) the student becomes a person granted indefinite leave to remain as a victim of domestic violence or domestic abuse;
 - (f) the student becomes a person granted Calais leave;
 - (g) the student becomes a person granted indefinite leave to remain as a bereaved partner;
 - (h) the student becomes a person granted leave under one of the Afghan Schemes; or
 - (i) the student becomes a person granted leave under one of the Ukraine Schemes.
- (4) “Settled status event”, in relation to a student. means the student becomes a family member described in paragraph 9A(1)(a), 9C(1)(a) or 9D(1)(a) or (2)(a) of Schedule 1.
- (5) “Course designation event”, in relation to a course, means—
- (a) the course is designated under regulation 5(10);
 - (b) the English higher education provider which is providing the course, or on whose behalf the course is being provided, becomes a registered provider;
 - (c) the course becomes a Northern Irish designated full-time course, a Scottish designated full-time course or a Welsh designated full-time course.
- (6) “Part-time course designation event”, in relation to a course, means—
- (a) the course is designated under regulation 139(7);
 - (b) the English higher education provider which is providing the course, or on whose behalf the course is being provided, becomes a registered provider;
 - (c) the course becomes a Northern Irish designated part-time course, a Scottish designated part-time course or a Welsh designated part-time course.
- (7) “Postgraduate course designation event”, in relation to a course, means—
- (a) the course is designated under regulation 139(7);
 - (b) the English higher education provider which is providing the course, or on whose behalf the course is being provided, becomes a registered provider; or
 - (c) the course becomes a Northern Irish designated part-time course, a Scottish designated part-time course or a Welsh designated part-time course.
- (8) Where a protected category event occurs in relation to a student after the course start date, paragraph (9) applies for the purposes of determining whether that event results in the student becoming an eligible student, eligible part-time student or eligible postgraduate student.
- (9) The student is to be treated, for the purposes of determining whether the student satisfies any requirement in Schedule 1 to be ordinarily resident in England on the course start date, as if the student was, on the course start date, lawfully residing in the place where the student was residing on that date.”.

Commencement Information

II Reg. 13 in force at 16.2.2023, see [reg. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The Education (Student Fees, Awards and Support) (Amendment) Regulations 2023, Section 13.