
STATUTORY INSTRUMENTS

2024 No. 85

The Education (Student Fees, Awards and Support) (Amendment) Regulations 2024

PART 3

Corresponding amendments to other subordinate legislation

CHAPTER 6

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

Termination of eligible student status

49. In regulation 3 (eligible students)—

(a) in paragraph (11A)(b)(1) for the words from “has expired” to the end of sub-paragraph (b), substitute—

“has expired and—

(i) no further leave to remain has been granted;

(ii) no appeal is pending (within the meaning of section 104 of the Nationality, Immigration and Asylum Act 2002(2)); and

(iii) the person (A or A’s spouse, civil partner, parent or step-parent) whose refugee status has expired has not become a British or Irish citizen;”;

(b) in paragraph (11B)(b)(3), after “has been granted” insert “and that person has not become a British or Irish citizen”;

(c) in paragraphs (11C)(b) and (11D)(b)(4), after “has been granted” insert “and A has not become a British or Irish citizen”;

(d) in paragraph (11E)(5), for the words from “has expired” to the end of sub-paragraph (b), substitute—

“has expired and—

(i) no further leave to remain has been granted;

(ii) no appeal is pending (within the meaning of section 104 of the Nationality, Immigration and Asylum Act 2002); and

(1) Paragraph (11A) was inserted by [S.I. 2023/74](#).

(2) [2002 c. 41](#). Section 104 was amended by Schedule 9 to the Immigration Act 2014 and by [S.I. 2005/565](#), [2010/21](#) and [2014/2771](#).

(3) Paragraph (11B) was inserted by [S.I. 2023/74](#).

(4) Paragraphs (11C) and (11D) were inserted by [S.I. 2023/74](#).

(5) Paragraph (11E) was inserted by [S.I. 2023/74](#).

- (iii) the person (A or A's spouse, civil partner, parent or step-parent) whose period for which they are allowed to stay in the United Kingdom has expired has not become a British or Irish citizen,";
 - (e) in paragraph (11F)(b)(6), after "has been granted under those rules" insert "and A has not become a British or Irish citizen";
 - (f) in paragraph (11G)(b)(7), after "has expired" insert "and the person (A or S) whose period for which they are allowed to stay in the United Kingdom has expired has not become a British or Irish citizen";
 - (g) in paragraph (11H)(b)(8), after "has been granted" insert "and the person (A or U) whose period for which they are allowed to stay in the United Kingdom has expired has not become a British or Irish citizen";
 - (h) after paragraph (11H) insert—
 - “(11I) Where—
 - (a) the Secretary of State has determined that a person (“A”) is an eligible student by virtue of paragraph 14 of Schedule 1 (long residence) in connection with an application for a postgraduate doctoral degree loan for a designated course; and
 - (b) as at the day before the relevant day, the period for which A is allowed to stay in the United Kingdom has expired and—
 - (i) no further leave to remain has been granted;
 - (ii) no appeal is pending (within the meaning of section 104 of the Nationality, Immigration and Asylum Act 2002); and
 - (iii) A has not become a British or Irish citizen,
- A's status as an eligible student terminates immediately before the relevant day.”;
- (i) in paragraph (12)(b)(9), after "protected rights" insert "and has not become a British or Irish citizen";
 - (j) in paragraph (13)(a)(10) for “, (11G) and (11H)” substitute “and (11G) to (11I)”.

(6) Paragraph (11F) was inserted by [S.I. 2023/74](#).

(7) Paragraph (11G) was inserted by [S.I. 2023/74](#).

(8) Paragraph (11H) was inserted by [S.I. 2023/74](#).

(9) Paragraph (12) was inserted by [S.I. 2021/127](#) and amended by [S.I. 2021/929](#), [S.I. 2021/1348](#) and [S.I. 2023/74](#).

(10) Paragraph (13) was inserted by [S.I. 2023/74](#).