

This Statutory Instrument, in part, corrects errors in the Education (Student Support) (European University Institute) Regulations 2010 (S.I. 2010/447), the Education (Student Support) Regulations 2011 (S.I. 2011/1986), the Further Education Loans Regulations 2012 (S.I. 2012/1818), the Education (Postgraduate Master's Degree Loans) Regulations 2016 (S.I. 2016/606), the Education (Postgraduate Doctoral Degree Loans and the Education (Student Loans) (Repayment) (Amendment) (No. 2) etc.) Regulations 2018 (S.I. 2018/599), the Education (Student Fees, Awards and Support etc.) (Amendment) Regulations 2019 (S.I. 2019/142) and the Education (Student Fees, Awards and Support etc.) (Amendment) (No. 2) Regulation 2020 (S.I. 2020/48). It is being issued free of charge to all known recipients of those Statutory Instruments.

STATUTORY INSTRUMENTS

2020 No. 1203

EDUCATION, ENGLAND

The Education (Student Fees, Awards and Support etc.) (Amendment) (No. 3) Regulations 2020

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| <i>Made</i> | - - - - | <i>3rd November 2020</i> |
| <i>Laid before Parliament</i> | | <i>5th November 2020</i> |
| <i>Coming into force</i> | - - | <i>26th November 2020</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 section 10(4)(b) of the Higher Education and Research Act 2017(3).

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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 11 of Schedule 9 to the Learning and Skills Act 2000 (c. 21), paragraph 5 of Schedule 21 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) and by S.I. 2005/3238, 2010/1080 and 2010/1158. Section 2 was amended by Schedule 4 to the Teaching and Higher Education Act 1998 (c. 30) (“the 1998 Act”).
- (2) 1998 c. 30. Section 22 was amended by section 146 of, and 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 of the Finance Act 2003 (c. 14), sections 42 and 43 of, and Schedule 7 to, the Higher Education Act 2004 (c. 8), section 257 of the Apprenticeships, Skills, Children and Learning Act 2009 (c. 22), section 76 of the Education Act 2011, section 88 of the Higher Education and Research Act 2017 (c. 29) (“the 2017 Act”) and S.I. 2013/1881. Section 22 is also amended by section 86(1) to (7) of the 2017 Act but those amendments are not yet in force. There are amendments to section 42 but none is relevant. See section 43(1) for the definitions of “prescribed” and “regulations”.
- (3) 2017 c. 29.

Citation, commencement and application

1.—(1) These Regulations may be cited as the Education (Student Fees, Awards and Support etc.) (Amendment) (No. 3) Regulations 2020.

(2) These Regulations come into force on 26th November 2020.

(3) The following provisions apply in relation to the provision of support to a student in relation to an academic year which begins on or after 1st August 2021, whether or not anything done under these Regulations is done before, on or after that date—

- (a) regulations 18 to 24 (amendments relating to ordinary residence requirements);
- (b) regulation 25 (amendments relating to disabled students' allowance);
- (c) regulation 29 (amendment of payment rates under the 2011 Regulations).

(4) The following provisions apply in relation to the provision of support to a student in relation to a course which begins on or after 1st August 2021, whether or not anything done under these Regulations is done before, on or after that date—

- (a) regulations 11 to 17 (amendments relating to persons granted indefinite leave as bereaved partners);
- (b) regulation 30 (amendment of amount of Master's degree loan);
- (c) regulation 31 (amendment of amount of Doctoral degree loan).

(5) In paragraph (3), 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.

Interpretation

2. In these Regulations “the 2011 Regulations” means the Education (Student Support) Regulations 2011(4).

Amendment of the 2011 Regulations to remove provisions relating to old system students

3.—(1) The 2011 Regulations are amended as follows.

(2) In regulation 2(5) (interpretation)—

(a) in paragraph (1)—

- (i) in the definition of “current system student”, omit paragraph (a) together with the “and” at the end;
- (ii) omit the following definitions—
 - (aa) “fee contribution loan”;
 - (bb) “fee support”;
 - (cc) “gap year student”;
 - (dd) “old system student”;

(4) S.I. 2011/1986.

(5) There are no relevant amendments to regulation 2.

- (iii) in the definition of “qualifying year of study” for “fee support”, in both places it occurs, substitute “a fee loan”;
- (b) omit paragraphs (6) to (9).
- (3) In regulation 3 (revocations, savings and transitional provisions), omit paragraphs (4) and (5).
- (4) In regulation 9(2)(6) (time limits)—
 - (a) in sub-paragraph (b)—
 - (i) omit “, a fee contribution loan”;
 - (ii) omit “, an additional amount of fee contribution loan under regulation 35(5)”;
 - (b) in sub-paragraph (c) omit “an additional amount of fee contribution loan under regulation 35(3),”.
- (5) In Part 4—
 - (a) in the heading to the Part, for “support” substitute “loans”;
 - (b) in regulation 12 (previous course)—
 - (i) in paragraphs (8), (9), (10) and (11), for “formulae in regulations 21 and 29” substitute “formula in regulation 21”;
 - (ii) in paragraph (9), in sub-paragraphs (a) and (b), for “fee support” substitute “a fee loan”;
 - (iii) in paragraph (10), for “fee support” substitute “a fee loan”;
 - (c) in regulation 13 (miscellaneous), in paragraphs (1), (4) and (5), for “fee support” substitute “a fee loan”;
 - (d) for the heading to Chapter 2 substitute—

“Availability of fee loans”;
 - (e) omit regulation 15 (old system students);
 - (f) in regulation 16 (students becoming eligible in the course of an academic year), in paragraphs (a) and (b), for “fee support” substitute “a fee loan”;
 - (g) in regulation 18(7) (students to be treated as in attendance on a course), in paragraph (1), for “fee support” substitute “a fee loan”;
 - (h) omit—
 - (i) Chapter 4 (grants for fees for old system students);
 - (ii) Chapter 5 (fee contribution loans for old system students).
- (6) In Part 5 (grants for living and other costs)—
 - (a) omit regulation 37 (old system students);
 - (b) in regulation 39(8) (students who are treated as in attendance), in paragraph (1), omit sub-paragraph (d);
 - (c) in regulation 41(9) (amount of the disabled students’ allowance), omit paragraph (3);
 - (d) omit Chapter 8 (higher education grants for old system students).
- (7) In Part 6 (loans for living costs)—

(6) Sub-paragraph (b) of regulation 9(2) was substituted by S.I. 2015/1951.

(7) Regulation 18 was amended by S.I. 2013/1728 and 2019/142.

(8) There are no relevant amendments to regulation 39.

(9) There are no relevant amendments to regulation 41.

- (a) in regulation 68(10) (interpretation), omit paragraph (c);
 - (b) omit regulation 70 (qualifying conditions for loan for living costs – old system students);
 - (c) in regulation 71(11) (general), in paragraph (1), omit sub-paragraph (e);
 - (d) omit regulation 79 (old system students with full entitlement);
 - (e) in regulation 88(12) (deductions from loans for living costs), in paragraph (1), omit “or an old system student with full entitlement”.
- (8) Omit regulation 102 (application of contribution – old system students).
- (9) In Part 9 (payments)—
- (a) omit Chapter 2 (payment of grants for fees);
 - (b) in regulation 110(13) (general), in paragraph (1), omit sub-paragraph (b);
 - (c) omit regulation 114 (payment of fee contribution loans);
 - (d) in regulation 117(14)—
 - (i) for the heading substitute—

“Overpayment of fee loans”;
 - (ii) in paragraphs (1) and (1A), in each place it occurs, for “fee support” substitute “a fee loan”.
- (10) In Schedule 4 (financial assessment)—
- (a) in paragraph 1(1)(i)(15) (definition of “partner”)—
 - (i) in sub-paragraph (iii), omit the words from “and” to the end;
 - (ii) in sub-paragraph (iv), omit the words from “and” to the end;
 - (b) in paragraph 2(16) (meaning of “independent eligible student”), in sub-paragraph (1)(g) (ii), omit “8,”;
 - (c) in paragraph 4(17) (calculation of an eligible student’s residual income), omit sub-paragraph (2);
 - (d) omit paragraph 8 (calculation of contribution: old system students);
 - (e) in paragraph 9(18) (calculation of contribution: current system students), in sub-paragraph (5)(a), omit “(other than old system students)”.

Amendment of the 2011 Regulations to remove provisions relating to part-time students starting their courses before 1st September 2012

- 4.—(1) The 2011 Regulations are amended as follows.
- (2) In regulation 2(1)(19) (interpretation), in the definition of “end-on course”, omit paragraph (g).
- (3) In Part 11 (eligibility in connection with designated part-time courses etc)—

(10) There are no relevant amendments to regulation 68
 (11) There are no relevant amendments to regulation 71.
 (12) There are no relevant amendments to regulation 88.
 (13) There are no relevant amendments to regulation 110.
 (14) Regulation 117 was amended by [S.I. 2015/1951](#).
 (15) There are no relevant amendments to paragraph 1 of Schedule 4.
 (16) Paragraph 2(1)(g)(ii) of Schedule 4 was amended by [S.I. 2019/142](#).
 (17) There are no relevant amendments to paragraph 4 of Schedule 4.
 (18) There are no relevant amendments to paragraph 9 of Schedule 4.
 (19) The definition of “end-on course” was amended by [S.I. 2012/1653](#), [2015/1951](#) and [2018/137](#).

- (a) in regulation 136**(20)** (interpretation), omit paragraphs (1) and (1A);
 - (b) in regulation 138**(21)** (students becoming eligible for support under Part 11A during the course of the academic year)—
 - (i) omit paragraphs (1) and (2);
 - (ii) in paragraph (3), omit “In respect of courses beginning on or after 1st September 2012,”;
 - (c) in regulation 139**(22)** (designated part-time courses), in paragraph (1)—
 - (i) in sub-paragraph (a), omit the words from “, other than a course” to the end;
 - (ii) for sub-paragraph (c) substitute—
 - “(c) it is ordinarily possible to complete the course in not more than four times the period ordinarily required to complete the full-time equivalent;”;
 - (d) in regulation 139A**(23)** (transfer of status)—
 - (i) omit paragraphs (3) and (4);
 - (ii) in paragraph (5), for the words from “another grant” to the end substitute “another grant under regulation 147 in connection with the academic year of the course to which the student transfers,”;
 - (iii) omit paragraph (6);
 - (e) in regulation 139B (conversion of status from eligible student to eligible part-time student), in paragraph (2), for the words from “does not exceed” to the end substitute “does not exceed four times the period ordinarily required to complete the remainder of the designated course from which the student transfers.”.
- (4) In Part 11A**(24)**—
- (a) in the heading to the Part, for “Support, Grants” substitute “Loans”;
 - (b) in regulation 140A (interpretation), omit paragraph (1);
 - (c) omit regulations 141 to 143 (assistance in respect of part-time courses beginning before 1st September 2012);
 - (d) in regulation 144**(25)**—
 - (i) in the heading, for “support” substitute “loans”;
 - (ii) in paragraph (5), for “regulation 141(5)” substitute “paragraph (5A)”;
 - (iii) after paragraph (5) insert—
 - “(5A) The loans and grants are—
 - (a) a loan, a grant in respect of fees or a grant for books, travel and other expenditure each made in respect of an academic year of a part-time course pursuant to regulations made under section 22 of the 1998 Act;
 - (b) a loan, a grant in respect of fees or a grant for books, travel and other expenditure each made in respect of an academic year of a part-time course by the Department for the Economy pursuant to regulations made under

(20) Regulation 136 was amended by [S.I. 2018/472](#).

(21) Regulation 138 was amended by [S.I. 2018/472](#), [2019/142](#) and [2020/48](#). Regulation 138 is also amended by [S.I. 2019/139](#) but those amendments are not yet in force.

(22) There are no relevant amendments to regulation 139.

(23) Regulations 139A and 139B were inserted by [S.I. 2018/472](#).

(24) Part 11A was inserted by [S.I. 2018/472](#).

(25) There are no relevant amendments to regulation 144.

- Articles 3 and 8(4) of the Education (Student Support) (Northern Ireland) Order 1998⁽²⁶⁾; or
- (c) a loan in respect of an academic year of a part-time course made pursuant to regulations made under sections 73(f), 73B and 74(1) of the Education (Scotland) Act 1980⁽²⁷⁾.”;
- (e) omit regulation 146 (assistance with fees in respect of attendance on a course in Wales, Northern Ireland or Scotland);
- (f) in regulation 148 (applications for support), for paragraph (2) substitute—
“(2) The application must be accompanied by such documentation as the Secretary of State may require.”;
- (g) in regulation 149⁽²⁸⁾ (declarations provided by academic authorities)—
(i) omit paragraphs (3) and (4);
(ii) in paragraph (5), in the words before sub-paragraph (a), omit “in respect of a course starting on or after 1st September 2012”;
- (iii) in paragraph (6)(b), omit “subject to paragraph (7),”;
- (iv) in paragraph (7), omit “Where a course begins on or after 1st September 2012,”.
- (h) in regulation 153 (payments)—
(i) in the heading for the words from “grants” to the end substitute “disabled part-time students’ allowances”;
- (ii) in paragraphs (1), (2), (3) and (4), omit “the grant for books, travel and other expenditure and”;
- (iii) in paragraph (5), omit “the grant for books, travel and other expenditure or”;
- (i) omit regulation 154 (payment of grants for fees);
- (j) in regulation 156⁽²⁹⁾ (overpayments)—
(i) in the heading, for “of grants and allowances” substitute “of disabled part-time students’ allowances”;
- (ii) omit paragraph (1);
- (iii) in paragraph (2), for the words from “grant” to the end substitute “disabled part-time students’ allowance to which the student is entitled.”;
- (iv) in paragraph (3), omit “grant for books, travel and other expenditure and”;
- (k) in regulation 157⁽³⁰⁾ (overpayments)—
(i) in the heading, for “fee support” substitute “fee loans”;
- (ii) in paragraphs (1) and (1A), for “fee loan support”, in each place it occurs, substitute “a fee loan”.
- (5) In regulation 157B⁽³¹⁾ (qualifying conditions for the loan for living costs), in paragraph (4)(b), for “141(5)” substitute “144(5A)”.

⁽²⁶⁾ S.I. 1998/1760 (N.I.14), to which there are amendments not relevant to these Regulations.

⁽²⁷⁾ 1980 c. 44. Section 73B was inserted by the 1998 Act, section 29(2). There are other amendments to the 1980 Act which are not relevant to these Regulations.

⁽²⁸⁾ Regulation 149 was amended by S.I. 2012/1652 and S.I. 2018/472.

⁽²⁹⁾ Regulation 156 was amended by S.I. 2015/1951.

⁽³⁰⁾ Regulation 157 was amended by S.I. 2012/1653 and S.I. 2015/1951.

⁽³¹⁾ Regulation 157B was inserted by S.I. 2018/472. There are no relevant amendments to regulation 157B.

Amendments to the 2011 Regulations relating to certain graduate entry courses

5.—(1) The 2011 Regulations are amended as follows.

(2) In regulation 2(1)(32) (interpretation), after the definition of “graduate entry accelerated programme”, insert—

““graduate entry veterinary course” means a course—

- (a) the standard of which is not higher than a first degree which leads to qualification as a veterinary surgeon, and
- (b) where a first degree or equivalent qualification would normally be required for entry to the course;”.

(3) In regulation 5(33) (designated courses), in paragraph (6), in the words before subparagraph (a), after “degree course” insert “(other than a graduate entry accelerated programme or a graduate entry veterinary course)”.

(4) In regulation 139(34) (designated part-time courses), in paragraph (1)(a), after “Schedule 2” insert “, other than a graduate entry accelerated programme or a graduate entry veterinary course”.

(5) In Schedule 2(35) (designated courses), after paragraph 9, insert—

“10. A graduate entry accelerated programme.

11. A graduate entry veterinary course.”.

Amendments relating to notification of an applicant or student’s absence from, withdrawal from etc. their course

6.—(1) The Education (Student Support) (European University Institute) Regulations 2010(36) are amended as follows.

(2) In regulation 14 (information)—

(a) in the words before paragraph (a), for “Every applicant and” substitute “An applicant or”;

(b) for paragraphs (a) to (f) substitute—

- “(a) they withdraw from or abandon their course;
- (b) they are expelled from their course;
- (c) they transfer to another course at the Institute;
- (d) they are absent from their course for more than 60 days due to illness;
- (e) they are suspended from their course (whether at their request or not);
- (f) the month for the start or completion of their course changes;
- (g) their home or term-time address or telephone number changes.”.

(3) After regulation 14, insert—

“14A. The academic authority must forthwith inform the Secretary of State and provide the Secretary of State with particulars if an applicant or student—

- (a) withdraws from or abandons their course;
- (b) is expelled from their course;
- (c) is absent from their course for more than 60 days due to illness;

(32) There are no relevant amendments to regulation 2.

(33) There are no relevant amendments to regulation 5.

(34) There are no relevant amendments to regulation 139.

(35) There are no relevant amendments to Schedule 2.

(36) *S.I. 2010/447*; to which there are amendments but none is relevant.

(d) is suspended from their course (whether at the applicant’s or student’s request or not);”.

7. In Schedule 3 (information) to the 2011 Regulations—

(a) in paragraph 2—

(i) in the words before sub-paragraph (a)—

(aa) for “Every” substitute “An”;

(bb) for “and eligible” substitute “or eligible”;

(ii) for sub-paragraphs (a) to (f) substitute—

“(a) they withdraw from or abandon their course;

(b) they are expelled from their course;

(c) they transfer to another course (whether at the same institution or not);

(d) they are absent from their course for more than 60 days due to illness;

(e) they are suspended from their course (whether at their request or not);

(f) the month for the start or completion of their course changes;

(g) their home or term-time address or telephone number changes.”;

(b) after paragraph 2, insert—

“**2A.**—(1) An academic authority must forthwith inform the Secretary of State and provide the Secretary of State with particulars if an applicant, eligible student, eligible part-time student or eligible postgraduate student—

(a) withdraws from or abandons their course;

(b) is expelled from their course;

(c) is absent from their course for more than 60 days due to illness;

(d) is suspended from their course (whether at the applicant’s or student’s request or not).

(2) An academic authority is not required to provide under sub-paragraph (1) any information which it has already provided to the Secretary of State under regulation 113(5) or 155(4).”.

8. In Schedule 2 (information) to the Further Education Loans Regulations 2012(37)—

(a) in paragraph 2—

(i) in the words before sub-paragraph (a), for “Every applicant and eligible” substitute “An applicant or eligible”;

(ii) for sub-paragraphs (a) to (f) substitute—

“(a) they withdraw from or abandon their further education course;

(b) they are expelled from their further education course;

(c) they transfer to another further education course (whether at the same institution or not);

(d) they are absent from their further education course for more than 60 days due to illness;

(e) they are suspended from their further education course (whether at their request or not);

- (f) the month for the start or completion of their further education course changes;
 - (g) their home or term-time address or telephone number changes;
 - (h) their name changes.”;
- (b) after paragraph 2, insert—

“**2A.**—(1) An institution must forthwith inform the Secretary of State and provide the Secretary of State with particulars if an applicant or eligible student—

- (a) withdraws from or abandons their further education course;
- (b) is expelled from their further education course;
- (c) is absent from their course for more than 60 days due to illness;
- (d) is suspended from their course (whether at the applicant or student’s request or not).

(2) An institution is not required to provide under sub-paragraph (1) any information which it has already provided to the Secretary of State under regulation 22(4).”.

9.—(1) The Education (Postgraduate Master’s Degree Loans) Regulations 2016(**38**) are amended as follows.

(2) In regulation 13(**39**) (payment of postgraduate master’s degree loans), in paragraph (5), for sub-paragraph (a) (including the “or” at the end) substitute—

- “(a) the student withdraws from or abandons their course;
- (aa) the student is expelled from their course;
 - (ab) the student is absent from their course for more than 60 days due to illness;
 - (ac) the student is suspended from their course (whether at the student’s request or not); or”.

(3) In Schedule 2 (information), in paragraph 2—

- (a) in the words before sub-paragraph (a) for “Every applicant and” substitute “An applicant or”;
- (b) for sub-paragraphs (a) to (f) substitute—
 - “(a) they withdraw from or abandon their course;
 - (b) they are expelled from their course;
 - (c) they transfer to another course (whether at the same institution or not);
 - (d) they are absent from their course for more than 60 days due to illness;
 - (e) they are suspended from their course (whether at their request or not);
 - (f) they become, or cease to be, a prisoner or an eligible prisoner;
 - (g) the month for the start or completion of their course changes;
 - (h) their home or term-time address or telephone number changes.”.

10.—(1) The Education (Postgraduate Doctoral Degree Loans and the Education (Student Loans) (Repayment) (Amendment) (No. 2) etc.) Regulations 2018(**40**) are amended as follows.

(2) In regulation 13 (payment of postgraduate doctoral degree loans), in paragraph (6), for sub-paragraph (b) (including the “or” at the end) substitute—

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

(39) Paragraph (5) of regulation 13 was substituted by [S.I. 2020/48](#).

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

- “(b) the student withdraws from or abandons their course;
- (ba) the student is expelled from their course;
- (bb) the student is absent from their course for more than 60 days due to illness;
- (bc) the student is suspended from their course (whether at the student’s request or not); or”.
- (3) In Schedule 2 (information), in paragraph 2—
 - (a) in the words before sub-paragraph (a) for “Every applicant and” substitute “An applicant or”;
 - (b) for sub-paragraphs (a) to (g) substitute—
 - “(a) they withdraw from or abandon their course;
 - (b) they are expelled from their course;
 - (c) they transfer to another course (whether at the same institution or not);
 - (d) they are absent from their course for more than 60 days due to illness;
 - (e) they are suspended from their course (whether at the applicant’s or student’s request or not);
 - (f) the month for the start or completion of their course changes;
 - (g) their home or term-time address or telephone number changes;
 - (h) they become, or cease to be, a prisoner or an eligible prisoner;
 - (i) they start, in connection with their course, to receive any allowance, bursary or award of similar description made by UKRI.”.

Amendments relating to persons granted indefinite leave to remain as bereaved partners

11. In Schedule 1 to the Education (Fees and Awards) (England) Regulations 2007⁽⁴¹⁾ (eligible students etc.), after paragraph 4D insert—

“Persons granted indefinite leave to remain as a bereaved partner

4E. A person—

- (a) granted indefinite leave to remain in the United Kingdom under any of the following provisions of the immigration rules, as defined in section 33(1) of the Immigration Act 1971⁽⁴²⁾—
 - (i) paragraph 288, as a person in relation to whom the requirements in paragraph 287(b) of those rules are met (bereaved partners);
 - (ii) paragraph 295N, as a person in relation to whom the requirements in paragraph 295M of those rules are met (bereaved partners);
 - (iii) paragraph D-BPILR.1.1 of Appendix FM (bereaved partners); or
 - (iv) paragraph 36 of Appendix Armed Forces (bereaved partner of a member of HM Forces);
- (b) who has been ordinarily resident in the United Kingdom and Islands since the person was granted such leave; and
- (c) who is ordinarily resident in the United Kingdom on the first day of the first academic year of the course.”.

⁽⁴¹⁾ Paragraph 4D of Schedule 1 was inserted by [S.I. 2020/48](#).

⁽⁴²⁾ [1971 c. 77](#).

12.—(1) The Education (Student Support) (European University Institute) Regulations 2010 are amended as follows.

(2) In regulation 3(**43**) (interpretation), after the definition of “person granted humanitarian protection” insert—

““person granted indefinite leave to remain as a bereaved partner” means a person—

- (a) granted indefinite leave to remain in the United Kingdom under any of the following provisions of the immigration rules, as defined in section 33(1) of the Immigration Act 1971—
 - (i) paragraph 288, as a person in relation to whom the requirements in paragraph 287(b) of those rules are met (bereaved partners);
 - (ii) paragraph 295N, as a person in relation to whom the requirements in paragraph 295M of those rules are met (bereaved partners);
 - (iii) paragraph D-BPILR.1.1 of Appendix FM (bereaved partners); or
 - (iv) paragraph 36 of Appendix Armed Forces (bereaved partner of a member of HM Forces); and
- (b) who has been ordinarily resident in the United Kingdom and Islands since the person was granted such leave;”.

(3) In Part 2 of Schedule 1 (eligible students: categories), after paragraph 4D(**44**) insert—

“Persons granted indefinite leave to remain as a bereaved partner

4E. A person granted indefinite leave to remain as a bereaved partner, who is ordinarily resident in England on the relevant date.”.

13.—(1) The 2011 Regulations are amended as follows.

(2) In regulation 2(1) (interpretation), after the definition of “person granted humanitarian protection” insert—

““person granted indefinite leave to remain as a bereaved partner” means a person—

- (a) granted indefinite leave to remain in the United Kingdom under any of the following provisions of the immigration rules, as defined in section 33(1) of the Immigration Act 1971—
 - (i) paragraph 288, as a person in relation to whom the requirements in paragraph 287(b) of those rules are met (bereaved partners);
 - (ii) paragraph 295N, as a person in relation to whom the requirements in paragraph 295M of those rules are met (bereaved partners);
 - (iii) paragraph D-BPILR.1.1 of Appendix FM (bereaved partners); or
 - (iv) paragraph 36 of Appendix Armed Forces (bereaved partner of a member of HM Forces); and
- (b) who has been ordinarily resident in the United Kingdom and Islands since the person was granted such leave;”.

(3) In regulation 17 (events)—

- (a) at the end of paragraph (j), omit “or”;
- (b) after paragraph (k) insert—

(43) The definition of “person granted humanitarian protection” was inserted by [S.I. 2011/83](#).

(44) Paragraph 4D of Schedule 1 was inserted by [S.I. 2020/48](#).

- “; or
- (l) the student becomes a person granted indefinite leave to remain as a bereaved partner.”.
- (4) In regulation 85 (students becoming eligible in the course of the year), in paragraph (2)—
- (a) at the end of sub-paragraph (i), omit “or”;
- (b) after sub-paragraph (j) insert—
- “; or
- (k) the student becomes a person granted indefinite leave to remain as a bereaved partner.”.
- (5) In regulation 138 (part-time students becoming eligible for support under Part 11A during the course of the year), in paragraph (4)—
- (a) at the end of sub-paragraph (k), omit “or”;
- (b) after sub-paragraph (l) insert—
- “; or
- (m) the student becomes a person granted indefinite leave to remain as a bereaved partner.”.
- (6) In regulation 138A (part-time students becoming eligible for support under Part 11B during the course of the year), in paragraph (2)—
- (a) at the end of sub-paragraph (i), omit “or”;
- (b) after sub-paragraph (j) insert—
- “; or
- (k) the student becomes a person granted indefinite leave to remain as a bereaved partner.”.
- (7) In regulation 160 (postgraduate students becoming eligible in the course of an academic year), in paragraph (2)—
- (a) at the end of sub-paragraph (i), omit “or”;
- (b) after sub-paragraph (j) insert—
- “; or
- (k) the student becomes a person granted indefinite leave to remain as a bereaved partner.”.
- (8) In Part 2 of Schedule 1 (eligible students: categories), after paragraph 4D(45) insert—

“Persons granted indefinite leave to remain as a bereaved partner

4E. A person granted indefinite leave to remain as a bereaved partner, who is ordinarily resident in England on the first day of the first academic year of the course.”.

14.—(1) The Further Education Loans Regulations 2012 are amended as follows.

(2) In regulation 2 (interpretation), after the definition of “person granted humanitarian protection” insert—

““person granted indefinite leave to remain as a bereaved partner” means a person—

(45) Paragraph 4D of Schedule 1 was inserted by [S.I. 2020/48](#).

- (a) granted indefinite leave to remain in the United Kingdom under any of the following provisions of the immigration rules, as defined in section 33(1) of the Immigration Act 1971—
 - (i) paragraph 288, as a person in relation to whom the requirements in paragraph 287(b) of those rules are met (bereaved partners);
 - (ii) paragraph 295N, as a person in relation to whom the requirements in paragraph 295M of those rules are met (bereaved partners);
 - (iii) paragraph D-BPILR.1.1 of Appendix FM (bereaved partners); or
 - (iv) paragraph 36 of Appendix Armed Forces (bereaved partner of a member of HM Forces); and
 - (b) who has been ordinarily resident in the United Kingdom and Islands since the person was granted such leave;”.
- (3) In regulation 7(46) (events)—
- (a) at the end of paragraph (j), omit “or”;
 - (b) after sub-paragraph (k) insert—
 - “; or
 - (l) the student becomes a person granted indefinite leave to remain as a bereaved partner.”.
- (4) In Part 2 of Schedule 1 (eligible students: categories), after paragraph 4D(47) insert—

“Persons granted indefinite leave to remain as a bereaved partner

4E. A person granted indefinite leave to remain as a bereaved partner, who is ordinarily resident in the United Kingdom on the first day of the designated further education course.”.

15.—(1) The Education (Postgraduate Master’s Degree Loans) Regulations 2016 are amended as follows.

(2) In regulation 2(1) (interpretation), after the definition of “person granted humanitarian protection” insert—

““person granted indefinite leave to remain as a bereaved partner” means a person—

- (a) granted indefinite leave to remain in the United Kingdom under any of the following provisions of the immigration rules, as defined in section 33(1) of the Immigration Act 1971—
 - (i) paragraph 288, as a person in relation to whom the requirements in paragraph 287(b) of those rules are met (bereaved partners);
 - (ii) paragraph 295N, as a person in relation to whom the requirements in paragraph 295M of those rules are met (bereaved partners);
 - (iii) paragraph D-BPILR.1.1 of Appendix FM (bereaved partners); or
 - (iv) paragraph 36 of Appendix Armed Forces (bereaved partner of a member of HM Forces); and
- (b) who has been ordinarily resident in the United Kingdom and Islands since the person was granted such leave;”.

(46) There are no relevant amendments to regulation 7.

(47) Paragraph 4D of Schedule 1 was inserted by [S.I. 2020/48](#).

- (3) In regulation 8(48) (events)—
- (a) at the end of paragraph (k), omit “or”;
 - (b) after paragraph (l) insert—
 - “; or
 - (m) the student becomes a person granted indefinite leave to remain as a bereaved partner.”.
- (4) In Part 2 of Schedule 1 (eligible students: categories), after paragraph 4D(49) insert—

“Persons granted indefinite leave to remain as a bereaved partner

4E. A person granted indefinite leave to remain as a bereaved partner, who is ordinarily resident in England on the first day of the first academic year of the course.”.

16.—(1) The Higher Education (Fee Limit Condition) (England) Regulations 2017(50) are amended as follows.

- (2) In regulation 2(51) (interpretation), after paragraph (bb) insert—
- “(bbza) “person granted indefinite leave to remain as a bereaved partner” means a person—
- (i) granted indefinite leave to remain in the United Kingdom under any of the following provisions of the immigration rules, as defined in section 33(1) of the Immigration Act 1971—
 - (aa) paragraph 288, as a person in relation to whom the requirements in paragraph 287(b) of those rules are met (bereaved partners);
 - (bb) paragraph 295N, as a person in relation to whom the requirements in paragraph 295M of those rules are met (bereaved partners);
 - (cc) paragraph D-BPILR.1.1 of Appendix FM (bereaved partners); or
 - (dd) paragraph 36 of Appendix Armed Forces (bereaved partner of a member of HM Forces); and
 - (ii) who has been ordinarily resident in the United Kingdom and Islands since the person was granted such leave;”.
- (3) In regulation 6 (qualifying person: effect of an event during academic year), in paragraph (2)

-
- (a) at the end of sub-paragraph (j), omit “or”;
 - (b) after sub-paragraph (k) insert—
 - “; or
 - (l) the student becomes a person granted indefinite leave to remain as a bereaved partner.”.
- (4) In Part 2 of the Schedule (qualifying persons: categories), after paragraph 5D(52) insert—

“Persons granted indefinite leave to remain as a bereaved partner

5E. A person granted indefinite leave to remain as a bereaved partner, who is ordinarily resident in the United Kingdom on the first day of the first academic year of the course.”.

(48) Regulation 8 was amended by S.I. 2020/48; there are other amending instruments but none is relevant.

(49) Paragraph 4D of Schedule 1 was inserted by S.I. 2020/48.

(50) S.I. 2017/1189.

(51) Regulation 2 was amended by S.I. 2020/48; there are other amending instruments but none is relevant.

(52) Paragraph 5D of Schedule 1 was inserted by S.I. 2020/48.

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

(2) In regulation 2(1) (interpretation), after the definition of “person granted humanitarian protection” insert—

““person granted indefinite leave to remain as a bereaved partner” means a person—

- (a) granted indefinite leave to remain in the United Kingdom under any of the following provisions of the immigration rules, as defined in section 33(1) of the Immigration Act 1971—
 - (i) paragraph 288, as a person in relation to whom the requirements in paragraph 287(b) of those rules are met (bereaved partners);
 - (ii) paragraph 295N, as a person in relation to whom the requirements in paragraph 295M of those rules are met (bereaved partners);
 - (iii) paragraph D-BPILR.1.1 of Appendix FM (bereaved partners); or
 - (iv) paragraph 36 of Appendix Armed Forces (bereaved partner of a member of HM Forces); and
- (b) who has been ordinarily resident in the United Kingdom and Islands since the person was granted such leave;”.

(3) In regulation 8 (events)—

- (a) at the end of paragraph (k), omit “or”;
- (b) after paragraph (l) insert—
 - “; or
 - (m) the student becomes a person granted indefinite leave to remain as a bereaved partner.”.

(4) In Part 2 of Schedule 1 (eligible students: categories), after paragraph 5C(53) insert—

“Persons granted indefinite leave to remain as a bereaved partner

5D. A person granted indefinite leave to remain as a bereaved partner, who is ordinarily resident in England on the first day of the first academic year of the course.”.

Amendments relating to ordinary residence requirements

18.—(1) Schedule 1 to the Education (Fees and Awards) (England) Regulations 2007 (eligible students: categories)(54) is amended as follows.

(2) In paragraph 4A (persons granted stateless leave and their family members)—

- (a) for sub-paragraph (1) substitute—
 - “(1) A person granted stateless leave, who is ordinarily resident in the United Kingdom on the first day of the first academic year of the course.”;
- (b) in sub-paragraph (2), for paragraphs (b) and (c) substitute—
 - “(b) who is ordinarily resident in the United Kingdom and Islands and has not ceased to be so resident since being given leave to enter or remain in the United Kingdom; and

(53) Paragraph 5C of Schedule 1 was inserted by [S.I. 2020/48](#).

(54) Paragraph 4A of Schedule 1 was inserted by [S.I. 2018/137](#), paragraph 4B of that Schedule was inserted by [S.I. 2019/142](#) and paragraph 5 of that Schedule was substituted by [S.I. 2011/87](#).

- (c) who is ordinarily resident in the United Kingdom on the first day of the first academic year of the course.”;
- (c) in sub-paragraph (3)—
- (i) in paragraph (b), before “was” insert “who”;
- (ii) for paragraphs (c) and (d) substitute—
- “(c) who is ordinarily resident in the United Kingdom and Islands and has not ceased to be so resident since being given leave to enter or remain in the United Kingdom; and
- (d) who is ordinarily resident in the United Kingdom on the first day of the first academic year of the course.”.
- (3) In paragraph 4B (persons granted section 67 leave)—
- (a) at the end of sub-paragraph (b), insert “and”;
- (b) at the end of sub-paragraph (c), omit “and”;
- (c) omit sub-paragraph (d).
- (4) In paragraph 4D (persons granted Calais leave)—
- (a) at the end of sub-paragraph (b), insert “and”;
- (b) at the end of sub-paragraph (c), omit “and”;
- (c) omit sub-paragraph (d).
- (5) In paragraph 5 (person granted humanitarian protection and their family members)—
- (a) in sub-paragraph (2)—
- (i) at the end of paragraph (b), omit “and”;
- (ii) for paragraph (c) substitute—
- “(c) who is ordinarily resident in the United Kingdom and Islands and has not ceased to be so resident since being given leave to enter or remain in the United Kingdom; and
- (d) who is ordinarily resident in the United Kingdom on the first day of the first academic year of the course.”;
- (b) in sub-paragraph (3)—
- (i) at the end of paragraph (c), omit “and”;
- (ii) for paragraph (d) substitute—
- “(d) who is ordinarily resident in the United Kingdom and Islands and has not ceased to be so resident since being given leave to enter or remain in the United Kingdom; and
- (e) who is ordinarily resident in the United Kingdom on the first day of the first academic year of the course.”.

19.—(1) Part 2 of Schedule 1 to the Education (Student Support) (European University Institute) Regulations 2010⁽⁵⁵⁾ (eligible students: categories) is amended as follows.

- (2) In paragraph 4A (persons granted stateless leave and their family members)—
- (a) for sub-paragraph (1) substitute—

⁽⁵⁵⁾ Paragraph 4A was inserted by [S.I. 2018/137](#); there are amendments to paragraph 4A not relevant to these Regulations. Paragraph 4B was inserted by [S.I. 2019/142](#), paragraph 4D was inserted by [S.I. 2020/48](#) and paragraph 5 was substituted by [S.I. 2011/83](#).

- “(1) A person granted stateless leave, who is ordinarily resident in England on the relevant date.”;
- (b) in sub-paragraph (2), for paragraphs (b) and (c) substitute—
- “(b) who is ordinarily resident in the United Kingdom and Islands and has not ceased to be so resident since being given leave to enter or remain in the United Kingdom; and
- (c) who is ordinarily resident in England on the relevant date.”;
- (c) in sub-paragraph (3), for paragraphs (c) and (d) substitute—
- “(c) who is ordinarily resident in the United Kingdom and Islands and has not ceased to be so resident since being given leave to enter or remain in the United Kingdom; and
- (d) who is ordinarily resident in England on the relevant date.”.
- (3) For paragraph 4B substitute—

“Persons granted section 67 leave

4B. A person granted section 67 leave, who is ordinarily resident in England on the relevant date.”.

- (4) For paragraph 4D substitute—

“Persons granted Calais leave

4D. A person granted Calais leave, who is ordinarily resident in England on the relevant date.”.

- (5) In paragraph 5 (person granted humanitarian protection and their family members)—
- (a) for sub-paragraph (1) substitute—
- “(1) A person granted humanitarian protection, who is ordinarily resident in England on the relevant date.”;
- (b) in sub-paragraph (2), for paragraphs (c) and (d) substitute—
- “(c) who is ordinarily resident in the United Kingdom and Islands and has not ceased to be so resident since being given leave to enter or remain in the United Kingdom; and
- (d) who is ordinarily resident in England on the relevant date.”;
- (c) in sub-paragraph (3), for paragraphs (d) and (e) substitute—
- “(d) who is ordinarily resident in the United Kingdom and Islands and has not ceased to be so resident since being given leave to enter or remain in the United Kingdom; and
- (e) who is ordinarily resident in England on the relevant date.”.

20.—(1) Part 2 of Schedule 1 to the 2011 Regulations(**56**) (eligible students: categories) is amended as follows.

- (2) In paragraph 4A (persons granted stateless leave and their family members)—
- (a) for sub-paragraph (1) substitute—

(56) Paragraph 4A of Schedule 1 was inserted by [S.I. 2018/137](#), paragraph 4B was inserted by [S.I. 2019/142](#) and paragraph 4D was inserted by [S.I. 2020/48](#).

“(1) A person granted stateless leave, who is ordinarily resident in England on the first day of the first academic year of the course.”;

(b) in sub-paragraph (2), for paragraphs (b) and (c) substitute—

“(b) who is ordinarily resident in the United Kingdom and Islands and has not ceased to be so resident since being given leave to enter or remain in the United Kingdom; and

(c) who is ordinarily resident in England on the first day of the first academic year of the course.”;

(3) in sub-paragraph (3), for paragraphs (c) and (d) substitute—

“(c) who is ordinarily resident in the United Kingdom and Islands and has not ceased to be so resident since being given leave to enter or remain in the United Kingdom; and

(d) who is ordinarily resident in England on the first day of the first academic year of the course.”.

(4) For paragraph 4B substitute—

“Persons granted section 67 leave

4B. A person granted section 67 leave, who is ordinarily resident in England on the first day of the first academic year of the course.”.

(5) For paragraph 4D substitute—

“Persons granted Calais leave

4D. A person granted Calais leave, who is ordinarily resident in England on the first day of the first academic year of the course.”.

(6) In paragraph 5 (persons granted humanitarian protection and their family members)—

(a) for sub-paragraph (1) substitute—

“(1) A person granted humanitarian protection, who is ordinarily resident in England on the first day of the first academic year of the course.”;

(b) in sub-paragraph (2), for paragraphs (c) and (d) substitute—

“(c) is ordinarily resident in the United Kingdom and Islands and has not ceased to be so resident since being given leave to enter or remain in the United Kingdom; and

(d) is ordinarily resident in England on the first day of the first academic year of the course.”;

(c) in sub-paragraph (3), for paragraphs (d) and (e) substitute—

“(d) is ordinarily resident in the United Kingdom and Islands and has not ceased to be so resident since being given leave to enter or remain in the United Kingdom; and

(e) is ordinarily resident in England on the first day of the first academic year of the course.”.

21.—(1) Part 2 of Schedule 1 to the Further Education Loans Regulations 2012⁽⁵⁷⁾ (eligible students: categories) is amended as follows.

⁽⁵⁷⁾ Paragraph 4A of Schedule 1 was inserted by [S.I. 2018/182](#), paragraph 4B was inserted by [S.I. 2019/142](#), paragraph 4D was inserted by [S.I. 2020/48](#).

- (2) In paragraph 4A (persons granted stateless leave and their family members)—
- (a) for sub-paragraph (1) substitute—
- “(1) A person granted stateless leave, who is ordinarily resident in the United Kingdom on the first day of the designated further education course.”;
- (b) in sub-paragraph (2), for paragraphs (b) and (c) substitute—
- “(b) who is ordinarily resident in the United Kingdom and Islands and has not ceased to be so resident since being given leave to enter or remain in the United Kingdom; and
- (c) who is ordinarily resident in the United Kingdom on the first day of the designated further education course.”;
- (c) in sub-paragraph (3), for paragraphs (c) and (d) substitute—
- “(c) who is ordinarily resident in the United Kingdom and Islands and has not ceased to be so resident since being given leave to enter or remain in the United Kingdom; and
- (d) who is ordinarily resident in the United Kingdom on the first day of the designated further education course.”.
- (3) For paragraph 4B substitute—

“Persons granted section 67 leave

4B. A person granted section 67 leave, who is ordinarily resident in the United Kingdom on the first day of the designated further education course.”.

- (4) For paragraph 4D substitute—

“Persons granted Calais leave

4D. A person granted Calais leave, who is ordinarily resident in the United Kingdom on the first day of the designated further education course.”.

- (5) In paragraph 5 (persons granted humanitarian protection and their family members)—
- (a) for sub-paragraph (1) substitute—
- “(1) A person granted humanitarian protection who is ordinarily resident in the United Kingdom on the first day of the designated further education course.”;
- (b) in sub-paragraph (2), for paragraphs (c) and (d) substitute—
- “(c) who is ordinarily resident in the United Kingdom and Islands and has not ceased to be so resident since being given leave to enter or remain in the United Kingdom; and
- (d) who is ordinarily resident in the United Kingdom on the first day of the designated further education course.”;
- (c) in sub-paragraph (3), for paragraphs (d) and (e) substitute—
- “(d) who is ordinarily resident in the United Kingdom and Islands and has not ceased to be so resident since being given leave to enter or remain in the United Kingdom; and
- (e) who is ordinarily resident in the United Kingdom on the first day of the designated further education course.”.

22.—(1) Part 2 of Schedule 1 to the Education (Postgraduate Master’s Degree Loans) Regulations 2016⁽⁵⁸⁾ (eligible students: categories) is amended as follows.

(2) In paragraph 4A (persons granted stateless leave and their family members)—

(a) for sub-paragraph (1) substitute—

“(1) A person granted stateless leave, who is ordinarily resident in England on the first day of the first academic year of the course.”;

(b) in sub-paragraph (2), for paragraphs (b) and (c) substitute—

“(b) who is ordinarily resident in the United Kingdom and Islands and has not ceased to be so resident since being given leave to enter or remain in the United Kingdom; and

(c) who is ordinarily resident in England on the first day of the first academic year of the course.”;

(c) in sub-paragraph (3), for paragraphs (c) and (d) substitute—

“(c) who is ordinarily resident in the United Kingdom and Islands and has not ceased to be so resident since being given leave to enter or remain in the United Kingdom; and

(d) who is ordinarily resident in England on the first day of the first academic year of the course.”.

(d) For paragraph 4B substitute—

“Persons granted section 67 leave

4B. A person granted section 67 leave, who is ordinarily resident in England on the first day of the first academic year of the course.”.

(3) For paragraph 4D substitute—

“Persons granted Calais leave

4D. A person granted Calais leave, who is ordinarily resident in England on the first day of the first academic year of the course.”.

(4) In paragraph 5 (persons granted humanitarian protection and their family members)—

(a) for sub-paragraph (1) substitute—

“(1) A person granted humanitarian protection, who is ordinarily resident in England on the first day of the first academic year of the course.”;

(b) in sub-paragraph (2), for paragraphs (c) and (d) substitute—

“(c) who is ordinarily resident in the United Kingdom and Islands and has not ceased to be so resident since being given leave to enter or remain in the United Kingdom; and

(d) who is ordinarily resident in England on the first day of the first academic year of the course.”;

(c) in sub-paragraph (3), for paragraphs (d) and (e) substitute—

“(d) who is ordinarily resident in the United Kingdom and Islands and has not ceased to be so resident since being given leave to enter or remain in the United Kingdom; and

⁽⁵⁸⁾ Paragraph 4A of Schedule 1 was inserted by [S.I. 2018/137](#), paragraph 4B was inserted by [S.I. 2019/142](#), paragraph 4D was inserted by [S.I. 2020/48](#) and paragraph 5 was amended by [S.I. 2018/137](#).

- (e) who is ordinarily resident in England on the first day of the first academic year of the course.”.

23.—(1) Part 2 of the Schedule to the Higher Education (Fee Limit Condition) (England) Regulations 2017(**59**) (qualifying persons: prescribed categories) is amended as follows.

(2) In paragraph 5A (persons granted stateless leave and their family members)—

(a) for sub-paragraph (1) substitute—

“(1) A person granted stateless leave, who is ordinarily resident in the United Kingdom on the first day of the first academic year of the course.”;

(b) in sub-paragraph (2), for paragraphs (b) and (c) substitute—

“(b) who is ordinarily resident in the United Kingdom and Islands and has not ceased to be so resident since being given leave to enter or remain in the United Kingdom; and

(c) who is ordinarily resident in the United Kingdom on the first day of the first academic year of the course.”;

(c) in sub-paragraph (3), for paragraphs (c) and (d) substitute—

“(c) who is ordinarily resident in the United Kingdom and Islands and has not ceased to be so resident since being given leave to enter or remain in the United Kingdom; and

(d) who is ordinarily resident in the United Kingdom on the first day of the first academic year of the course.”.

(3) In paragraph 5B (persons granted section 67 leave)—

(a) at the end of sub-paragraph (a), insert “and”;

(b) for sub-paragraphs (b) to (d) substitute—

“(b) is ordinarily resident in the United Kingdom on the first day of the first academic year of the course.”.

(4) For paragraph 5D substitute—

“Persons granted Calais leave

5D. A person granted Calais leave, who is ordinarily resident in the United Kingdom on the first day of the first academic year of the course.”.

(5) In paragraph 6 (persons granted humanitarian protection and their family members)—

(a) for sub-paragraph (1) substitute—

“(1) A person granted humanitarian protection, who is ordinarily resident in the United Kingdom on the first day of the first academic year of the course.”;

(b) in sub-paragraph (2), for paragraphs (c) and (d) substitute—

“(c) is ordinarily resident in the United Kingdom and Islands and has not ceased to be so resident since being given leave to enter or remain in the United Kingdom; and

(d) is ordinarily resident in the United Kingdom on the first day of the first academic year of the course.”;

(c) in sub-paragraph (3), for paragraphs (d) and (e) substitute—

(59) Paragraph 5A of Schedule 1 was inserted by [S.I. 2018/903](#), paragraph 5B was inserted by [S.I. 2019/142](#) and paragraph 5D was inserted by [S.I. 2020/48](#).

- “(d) is ordinarily resident in the United Kingdom and Islands and has not ceased to be so resident since being given leave to enter or remain in the United Kingdom; and
- (e) is ordinarily resident in the United Kingdom on the first day of the first academic year of the course.”.

24.—(1) Part 2 of Schedule 1 to the Education (Postgraduate Doctoral Degree Loans and the Education (Student Loans) (Repayment) (Amendment) (No. 2) etc.) Regulations 2018(**60**) is amended as follows.

(2) In paragraph 5 (persons granted stateless leave and their family members)—

(a) for sub-paragraph (1) substitute—

“(1) A person granted stateless leave who is ordinarily resident in England on the first day of the first academic year of the course.”;

(b) in sub-paragraph (2), for paragraphs (b) and (c) substitute—

“(b) who is ordinarily resident in the United Kingdom and Islands and has not ceased to be so resident since being given leave to enter or remain in the United Kingdom; and

(c) who is ordinarily resident in England on the first day of the first academic year of the course.”;

(c) in sub-paragraph (3), for paragraphs (c) and (d) substitute—

“(c) who is ordinarily resident in the United Kingdom and Islands and has not ceased to be so resident since being given leave to enter or remain in the United Kingdom; and

(d) who is ordinarily resident in England on the first day of the first academic year of the course.”.

(3) For paragraph 5A substitute—

“Persons granted section 67 leave

5A. A person granted section 67 leave, who is ordinarily resident in England on the first day of the first academic year of the course.”.

(4) For paragraph 5C substitute—

“Persons granted Calais leave

5C. A person granted Calais leave who is ordinarily resident in England on the first day of the first academic year of the course.”.

(5) In paragraph 6—

(a) for sub-paragraph (1) substitute—

“(1) A person granted humanitarian protection, who is ordinarily resident in England on the first day of the first academic year of the course.”;

(b) in sub-paragraph (2), for paragraphs (c) and (d) substitute—

“(c) is ordinarily resident in the United Kingdom and Islands and has not ceased to be so resident since being given leave to enter or remain in the United Kingdom; and

(60) Paragraph 5A of Schedule 1 was inserted by [S.I. 2019/142](#) and paragraph 5C was inserted by [S.I. 2020/48](#).

- (d) is ordinarily resident in England on the first day of the first academic year of the course.”;
- (c) in sub-paragraph (3), for paragraphs (d) and (e) substitute—
 - “(d) is ordinarily resident in the United Kingdom and Islands and has not ceased to be so resident since being given leave to enter or remain in the United Kingdom; and
 - (e) is ordinarily resident in England on the first day of the first academic year of the course.”.

Amendments to the 2011 Regulations relating to disabled students’ allowances

- 25.**—(1) The 2011 Regulations are amended as follows.
- (2) In regulation 2(1)(**61**) (interpretation), after the definition of “transitional award”, insert—
 - ““travel expenditure” means expenditure incurred by a student—
 - (a) within the United Kingdom for the purposes of attending their institution; or
 - (b) within or outside the United Kingdom for the purposes of attending, as part of their course, any period of study at an overseas institution or for the purposes of attending the Institute;”.
 - (3) In regulation 40A(**62**) (payment of the disabled students’ allowance)—
 - (a) the existing text becomes paragraph (1);
 - (b) after that paragraph, insert—
 - “(2) The expenditure for which the grant may be paid includes, in particular—
 - (a) expenditure on a non-medical personal helper;
 - (b) expenditure on major items of specialist equipment;
 - (c) travel expenditure.”.
 - (4) In regulation 41(**63**) (amount of the disabled students’ allowance)—
 - (a) for paragraph (2) substitute—
 - “(2) The amount of the disabled students’ allowance in respect of an academic year—
 - (a) for expenditure other than travel expenditure, must not exceed £25,000;
 - (b) for travel expenditure, must not exceed an amount equal to that expenditure.”;
 - (b) in paragraph (7), omit the words from “, except” to the end;
 - (c) in paragraph (8), for the words from “for the purposes specified” to the end substitute—
 - “in respect of—
 - (a) the quarter in which the relevant event occurs, and
 - (b) if relevant, such quarters as begin after the relevant event occurs.”.
 - (5) In regulation 147(**64**) (disabled part-time students’ allowance)—
 - (a) after paragraph (4A) insert—
 - “(4B) The expenditure for which the grant may be paid includes, in particular—

(61) There are no relevant amendments to regulation 2.

(62) Regulation 40A was inserted by S.I. 2014/2765.

(63) Regulation 41 was amended by S.I. 2012/1653, 2014/2765, 2015/1951, 2017/114 and 2020/48.

(64) Regulation 147 was amended by S.I. 2012/1653, 2014/2765, 2016/270, 2017/114 and 2020/48

- (a) expenditure on a non-medical personal helper;
 - (b) expenditure on major items of specialist equipment;
 - (c) travel expenditure.”;
- (b) for paragraph (6) substitute—
 - “(6) The amount of the grant under this regulation in respect of an academic year—
 - (a) for expenditure other than travel expenditure, must not exceed £25,000;
 - (b) for travel expenditure, must not exceed an amount equal to that expenditure.”;
- (c) in paragraph (7), omit the words from “, except” to the end;
- (d) in paragraph (8), for words from “for the purposes specified” to the end substitute—
 - “in respect of—
 - (a) the quarter in which the relevant event occurs, and
 - (b) if relevant, such quarters as begin after the relevant event occurs.”.
- (6) In regulation 165A(**65**) (authority to pay grant)—
 - (a) the existing text becomes paragraph (1);
 - (b) after that paragraph, insert—
 - “(2) The expenditure for which the grant may be paid includes, in particular—
 - (a) expenditure on a non-medical personal helper;
 - (b) expenditure on major items of specialist equipment;
 - (c) travel expenditure.”.
- (7) In regulation 166(**66**) (amount of grant under Part 12)—
 - (a) for paragraph (1) substitute—
 - “(1) Subject to paragraph (2), the grant under this Part is the amount that the Secretary of State considers appropriate in accordance with the student’s circumstances.”;
 - (b) for paragraph (2) substitute—
 - “(2) The amount of the grant in respect of an academic year—
 - (a) for expenditure other than travel expenditure, must not exceed £25,000;
 - (b) for travel expenditure, must not exceed an amount equal to that expenditure.”;
 - (c) omit paragraph (3);
 - (d) in paragraph (4), omit the words from “, except” to the end;
 - (e) in paragraph (5), for the words from “in respect of” to the end substitute—
 - “in respect of—
 - (a) the quarter in which the relevant event occurs, and
 - (b) if relevant, such quarters as begin after the relevant event occurs.”.

Amendments relating to qualifying conditions for grants, allowances and loans

26.—(1) The 2011 Regulations are amended as follows.

(65) Regulation 165A was inserted by [S.I. 2014/2765](#).

(66) Regulation 166 was amended by [S.I. 2012/1653](#), [2014/2765](#) and [2020/48](#).

(2) In regulation 38(**67**) (general qualifying conditions for grants for living and other costs), in paragraph (8), for “or (h)” substitute “, (h), (i), (j), (k) or (l)”.

(3) In regulation 41 (amount of disabled students’ allowance), in paragraph (8), for “or (h)” substitute “, (h), (i), (j), (k) or (l)”.

(4) In regulation 45(**68**) (childcare grant), in paragraph (11), for “or (h)” substitute “, (h), (i), (j), (k) or (l)”.

(5) In regulation 49A(**69**) (travel grant), in paragraph (2), for “or (h)” substitute “, (h), (i), (j), (k) or (l)”.

(6) In regulation 147 (disabled part-time students’ allowance), in paragraph (8), for “or (i)” substitute “, (i), (j), (k), (l) or (m)”.

Other minor amendments to the Education (Student Support Regulations 2011

27. In the 2011 Regulations—

- (a) in regulation 24, in paragraphs (5)(a) and (6)(a), for “paragraph (3) to (6)” substitute “paragraphs (3) to (6C)”;
- (b) in regulation 148, in paragraph (6)(a), for “(3)” substitute “(4)”.

Amendments relating to eligibility for postgraduate doctoral loans

28. In regulation 4 of the Education (Postgraduate Doctoral Degree Loans and the Education (Student Loans) (Repayment) (Amendment) (No. 2) etc.) Regulations 2018(**70**)—

- (a) in paragraph (1), for sub-paragraph (a) substitute—
 - “(a) is a full postgraduate doctoral degree course of at least three, but no more than eight, academic years’ duration;”;
- (b) in paragraph (2A), for sub-paragraph (c) substitute—
 - “(c) of at least three, but no more than eight, academic years’ duration.”.

Amendments relating to new payment rates for student support etc

29. The Schedule contains amendments to the 2011 Regulations which relate to payment rates for student support.

30. In the Education (Postgraduate Master’s Degree Loans) Regulations 2016, in regulation 12(1) and (2)(**71**), for “£11,222” substitute “£11,570”.

31. In the Education (Postgraduate Doctoral Degree Loans and the Education (Student Loans) (Repayment) (Amendment) (No. 2) etc.) Regulations 2018(**72**)—

- (a) in regulation 12(1), for “£26,445” substitute “£27,265”;
- (b) in regulation 13(4), for “£11,222” substitute “£11,570”.

(67) There are no relevant amendments to regulation 38.

(68) There are no relevant amendments to regulation 45.

(69) Regulation 49A was inserted by [S.I. 2012/1653](#).

(70) Paragraph (1) of regulation 4 was amended, and paragraph (2A) of that regulation was inserted, by [S.I. 2020/48](#). There are other amending instruments but none is relevant.

(71) The sum “£11,222” in regulation 12(1) and (2) was substituted by [S.I. 2020/48](#).

(72) The sums in regulations 12(1) and 13(4) were substituted by [S.I. 2020/48](#).

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

3rd November 2020

Michelle Donelan
Minister of State for Universities
Department for Education

SCHEDULE

Regulation 29

Amendments relating to new payment rates for student support under the 2011 Regulations
In the following table, in each provision of the 2011 Regulations listed in column 1, for the corresponding figure in column 2 (existing figure)(73) substitute the corresponding figure in column 3 (new figure)—

| <i>Column 1</i> | <i>Column 2</i> | <i>Column 3</i> |
|------------------------------------------|------------------------------------|-------------------|
| <i>Provision in the 2011 Regulations</i> | <i>Existing figure</i> | <i>New figure</i> |
| Regulation 44(3)(a) | £3,094 | £3,190 |
| Regulation 44(3)(b) | £3,094 | £3,190 |
| Regulation 45(5)(a) | £174.22 | £179.62 |
| Regulation 45(5)(b) | £298.69 | £307.95 |
| Regulation 46(2) | £1,766 | £1,821 |
| Regulation 47(1B) | £14,933.98 | £15,125.98 |
| Regulation 47(2C)(i) | £18,786.43 | £19,067.23 |
| Regulation 47(2C)(ii) | £26,649.87 | £27,131.39 |
| Regulation 47(3B) | £18,441.98 | £18,551.98 |
| Regulation 57(1) | £3,489 | £3,597 |
| Regulation 57(5)(a) | £3,489 | £3,597 |
| Regulation 57(5)(b) | £61,059 (in both places it occurs) | £61,071 |
| Regulation 57(5)(b) | £3,489 | £3,597 |
| Regulation 57(5)(b) | £4.96 | £4.82 |
| Regulation 57(5)(b) | £34,732 (in both places it occurs) | £34,751 |
| Regulation 57(5)(b) | £17.82 | £17.27 |
| Regulation 57(5)(c) | £61,059 | £61,071 |
| Regulation 58(1) | £3,489 | £3,597 |
| Regulation 58(5)(a) | £3,489 | £3,597 |
| Regulations 58(5)(b) | £50,711 (in both places it occurs) | £50,719 |
| Regulation 58(5)(b) | £3,489 | £3,597 |
| Regulation 58(5)(b) | £4.45 | £4.32 |
| Regulation 58(5)(b) | £34,274 (in both places it occurs) | £34,280 |

(73) The “existing figures” were substituted by S.I. 2020/48.

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| <i>Column 1</i> | <i>Column 2</i> | <i>Column 3</i> |
|------------------------------------------|------------------------------------|-------------------|
| <i>Provision in the 2011 Regulations</i> | <i>Existing figure</i> | <i>New figure</i> |
| Regulation 58(5)(b) | £12.13 | £11.75 |
| Regulation 58(5)(c) | £50,711 | £50,719 |
| Regulation 59(1) | £3,801 | £3,919 |
| Regulation 59(2)(a) | £3,801 | £3,919 |
| Regulation 59(2)(b) | £42,705 | £42,721 |
| Regulation 59(2)(b) | £3,801 | £3,919 |
| Regulation 59(2)(b) | £4.72 | £4.58 |
| Regulation 59(2)(c) | £42,705 | £42,721 |
| Regulation 60(1) | £3,489 | £3,597 |
| Regulation 60(5)(a) | £3,489 | £3,597 |
| Regulation 60(5)(b) | £39,584 (in both places it occurs) | £39,587 |
| Regulation 60(5)(b) | £3,489 | £3,597 |
| Regulation 60(5)(b) | £4.96 | £4.82 |
| Regulation 60(5)(b) | £28,092 (in both places it occurs) | £28,111 |
| Regulation 60(5)(b) | £7.78 | £7.53 |
| Regulation 60(5)(c) | £39,584 | £39,587 |
| Regulation 62(1) | £3,489 | £3,597 |
| Regulation 62(5)(a) | £3,489 | £3,597 |
| Regulation 62(5)(b) | £61,059 (in both places it occurs) | £61,071 |
| Regulation 62(5)(b) | £3,489 | £3,597 |
| Regulation 62(5)(b) | £4.96 | £4.82 |
| Regulation 62(5)(b) | £34,732 (in both places it occurs) | £34,751 |
| Regulation 62(5)(b) | £17.82 | £17.27 |
| Regulation 62(5)(c) | £61,059 | £61,071 |
| Regulation 63(1) | £3,489 | £3,597 |
| Regulation 63(5)(a) | £3,489 | £3,597 |
| Regulation 63(5)(b) | £50,711 (in both places it occurs) | £50,719 |
| Regulation 63(5)(b) | £3,489 | £3,597 |

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| <i>Column 1</i> | <i>Column 2</i> | <i>Column 3</i> |
|---------------------------------------------------|------------------------------------|-------------------|
| <i>Provision in the 2011 Regulations</i> | <i>Existing figure</i> | <i>New figure</i> |
| Regulation 63(5)(b) | £4.45 | £4.32 |
| Regulation 63(5)(b) | £34,274 (in both places it occurs) | £34,280 |
| Regulation 63(5)(b) | £12.13 | £11.75 |
| Regulation 63(5)(c) | £50,711 | £50,719 |
| Regulation 64(1) | £3,801 | £3,919 |
| Regulation 64(2)(a) | £3,801 | £3,919 |
| Regulation 64(2)(b) | £42,705 | £42,721 |
| Regulation 64(2)(b) | £3,801 | £3,919 |
| Regulation 64(2)(b) | £4.72 | £4.58 |
| Regulation 64(2)(c) | £42,705 | £42,721 |
| Regulation 65(1) | £3,489 | £3,597 |
| Regulation 65(5)(a) | £3,489 | £3,597 |
| Regulation 65(5)(b) | £39,584 (in both places it occurs) | £39,587 |
| Regulation 65(5)(b) | £3,489 | £3,597 |
| Regulation 65(5)(b) | £4.96 | £4.82 |
| Regulation 65(5)(b) | £28,092 (in both places it occurs) | £28,111 |
| Regulation 65(5)(b) | £7.78 | £7.53 |
| Regulation 65(5)(c) | £39,584 | £39,587 |
| Regulation 68(b)(i) | £1,527 | £1,574 |
| Regulation 68(b)(ii) | £1,527 (in both places it occurs) | £1,574 |
| Regulation 72(2) | £61,062 (in both places it occurs) | £61,072 |
| Regulation 72(2)(i) | £4,404 | £4,541 |
| Regulation 72(2)(ii) | £7,969 | £8,216 |
| Regulation 72(2)(iii) | £6,779 | £6,989 |
| Regulation 72(2)(iv) | £5,691 | £5,867 |
| Regulation 72(2) (words after sub-paragraph (iv)) | £7.73 | £7.49 |
| Regulation 72(3) | £61,062 (in both places it occurs) | £61,072 |

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| <i>Column 1</i> | <i>Column 2</i> | <i>Column 3</i> |
|---------------------------------------------------|------------------------|-------------------|
| <i>Provision in the 2011 Regulations</i> | <i>Existing figure</i> | <i>New figure</i> |
| Regulation 72(3)(i) | £3,979 | £4,102 |
| Regulation 72(3)(ii) | £7,254 | £7,479 |
| Regulation 72(3)(iii) | £5,894 | £6,077 |
| Regulation 72(3)(iv) | £5,264 | £5,427 |
| Regulation 72(3) (words after sub-paragraph (iv)) | £7.73 | £7.49 |
| Regulation 72(6) | £61,059 | £61,071 |
| Regulation 72(6) | £61,062 | £61,072 |
| Regulation 72(6)(a) | £4,404 | £4,541 |
| Regulation 72(6)(b) | £7,969 | £8,216 |
| Regulation 72(6)(c) | £6,779 | £6,989 |
| Regulation 72(6)(d) | £5,691 | £5,867 |
| Regulation 72(7) | £61,059 | £61,071 |
| Regulation 72(7) | £61,062 | £61,072 |
| Regulation 72(7)(a) | £3,979 | £4,102 |
| Regulation 72(7)(b) | £7,254 | £7,479 |
| Regulation 72(7)(c) | £5,894 | £6,077 |
| Regulation 72(7)(d) | £5,264 | £5,427 |
| Regulation 72(8) | £61,059 | £61,071 |
| Regulation 72(8)(i) | £4,404 | £4,541 |
| Regulation 72(8)(ii) | £7,969 | £8,216 |
| Regulation 72(8)(iii) | £6,779 | £6,989 |
| Regulation 72(8)(iv) | £5,691 | £5,867 |
| Regulation 72(9) | £61,059 | £61,071 |
| Regulation 72(9)(i) | £3,979 | £4,102 |
| Regulation 72(9)(ii) | £7,254 | £7,479 |
| Regulation 72(9)(iii) | £5,894 | £6,077 |
| Regulation 72(9)(iv) | £5,264 | £5,427 |
| Regulation 74(2)(i) | £4,604 | £4,747 |
| Regulation 74(2)(ii) | £8,309 | £8,567 |
| Regulation 74(2)(iii) | £7,068 | £7,287 |
| Regulation 74(2)(iv) | £5,938 | £6,122 |

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| <i>Column 1</i> | <i>Column 2</i> | <i>Column 3</i> |
|---------------------------------------------------|------------------------|-------------------|
| <i>Provision in the 2011 Regulations</i> | <i>Existing figure</i> | <i>New figure</i> |
| Regulation 74(2) (words after sub-paragraph (iv)) | £4.22 | £4.10 |
| Regulation 74(3)(i) | £4,177 | £4,306 |
| Regulation 74(3)(ii) | £7,565 | £7,800 |
| Regulation 74(3)(iii) | £6,146 | £6,337 |
| Regulation 74(3)(iv) | £5,495 | £5,665 |
| Regulation 74(3) (words after sub-paragraph (iv)) | £4.22 | £4.10 |
| Regulation 74(6) | £50,711 | £50,719 |
| Regulation 74(6)(a) | £4,604 | £4,747 |
| Regulation 74(6)(b) | £8,309 | £8,567 |
| Regulation 74(6)(c) | £7,068 | £7,287 |
| Regulation 74(6)(d) | £5,938 | £6,122 |
| Regulation 74(7) | £50,711 | £50,719 |
| Regulation 74(7)(a) | £4,177 | £4,306 |
| Regulation 74(7)(b) | £7,565 | £7,800 |
| Regulation 74(7)(c) | £6,146 | £6,337 |
| Regulation 74(7)(d) | £5,495 | £5,665 |
| Regulation 74(8) | £50,711 | £50,719 |
| Regulation 74(8)(i) | £4,604 | £4,747 |
| Regulation 74(8)(ii) | £8,309 | £8,567 |
| Regulation 74(8)(iii) | £7,068 | £7,287 |
| Regulation 74(8)(iv) | £5,938 | £6,122 |
| Regulation 74(9) | £50,711 | £50,719 |
| Regulation 74(9)(i) | £4,177 | £4,306 |
| Regulation 74(9)(ii) | £7,565 | £7,800 |
| Regulation 74(9)(iii) | £6,146 | £6,337 |
| Regulation 74(9)(iv) | £5,495 | £5,665 |
| Regulation 76(2)(i) | £5,247 | £5,410 |
| Regulation 76(2)(ii) | £9,205 | £9,490 |
| Regulation 76(2)(iii) | £7,838 | £8,081 |
| Regulation 76(2)(iv) | £6,597 | £6,802 |

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| <i>Column 1</i> | <i>Column 2</i> | <i>Column 3</i> |
|---------------------------------------------------|------------------------|-------------------|
| <i>Provision in the 2011 Regulations</i> | <i>Existing figure</i> | <i>New figure</i> |
| Regulation 76(2) (words after sub-paragraph (iv)) | £8.36 | £8.11 |
| Regulation 76(3)(i) | £4,821 | £4,970 |
| Regulation 76(3)(ii) | £8,383 | £8,643 |
| Regulation 76(3)(iii) | £6,812 | £7,023 |
| Regulation 76(3)(iv) | £6,135 | £6,325 |
| Regulation 76(3) (words after sub-paragraph (iv)) | £8.36 | £8.11 |
| Regulation 76(6) | £42,705 | £42,721 |
| Regulation 76(6)(a) | £5,247 | £5,410 |
| Regulation 76(6)(b) | £9,205 | £9,490 |
| Regulation 76(6)(c) | £7,838 | £8,081 |
| Regulation 76(6)(d) | £6,597 | £6,802 |
| Regulation 76(7) | £42,705 | £42,721 |
| Regulation 76(7)(a) | £4,821 | £4,970 |
| Regulation 76(7)(b) | £8,383 | £8,643 |
| Regulation 76(7)(c) | £6,812 | £7,023 |
| Regulation 76(7)(d) | £6,135 | £6,325 |
| Regulation 76(8) | £42,705 | £42,721 |
| Regulation 76(8)(i) | £5,247 | £5,410 |
| Regulation 76(8)(ii) | £9,205 | £9,490 |
| Regulation 76(8)(iii) | £7,838 | £8,081 |
| Regulation 76(8)(iv) | £6,597 | £6,802 |
| Regulation 76(9) | £42,705 | £42,721 |
| Regulation 76(9)(i) | £4,821 | £4,970 |
| Regulation 76(9)(ii) | £8,383 | £8,643 |
| Regulation 76(9)(iii) | £6,812 | £7,023 |
| Regulation 76(9)(iv) | £6,135 | £6,325 |
| Regulation 77(2)(i) | £4,404 | £4,541 |
| Regulation 77(2)(ii) | £7,969 | £8,216 |
| Regulation 77(2)(iii) | £6,779 | £6,989 |
| Regulation 77(2)(iv) | £5,691 | £5,867 |

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| <i>Column 1</i> | <i>Column 2</i> | <i>Column 3</i> |
|------------------------------------------|------------------------|-------------------|
| <i>Provision in the 2011 Regulations</i> | <i>Existing figure</i> | <i>New figure</i> |
| Regulation 77(3)(i) | £3,979 | £4,102 |
| Regulation 77(3)(ii) | £7,254 | £7,479 |
| Regulation 77(3)(iii) | £5,894 | £6,077 |
| Regulation 77(3)(iv) | £5,264 | £5,427 |
| Regulation 80(1)(a)(i) | £1,845 | £1,902 |
| Regulation 80(1)(a)(ii) | £3,451 | £3,558 |
| Regulation 80(1)(a)(iii) | £2,458 | £2,534 |
| Regulation 80(1)(b)(i) | £2,090 | £2,155 |
| Regulation 80(1)(b)(ii) | £3,914 | £4,035 |
| Regulation 80(1)(b)(iv) | £2,788 | £2,874 |
| Regulation 80(1)(c)(i) | £3,302 | £3,404 |
| Regulation 80(1)(c)(ii) | £5,976 | £6,161 |
| Regulation 80(1)(c)(iii) | £5,085 | £5,243 |
| Regulation 80(1)(c)(iv) | £4,268 | £4,400 |
| Regulation 80(1)(d)(i) | £3,314 | £3,417 |
| Regulation 80(1)(d)(ii) | £5,983 | £6,168 |
| Regulation 80(1)(d)(iii) | £5,089 | £5,247 |
| Regulation 80(1)(d)(iv) | £4,275 | £4,408 |
| Regulation 80(1)(e)(i) | £3,410 | £3,516 |
| Regulation 80(1)(e)(ii) | £5,983 | £6,168 |
| Regulation 80(1)(e)(iii) | £5,096 | £5,254 |
| Regulation 80(1)(e)(iv) | £4,291 | £4,424 |
| Regulation 80(1)(f)(i) | £3,410 | £3,516 |
| Regulation 80(1)(f)(ii) | £5,981 | £6,166 |
| Regulation 80(1)(f)(iii) | £5,095 | £5,253 |
| Regulation 80(1)(f)(iv) | £4,289 | £4,422 |
| Regulation 80(2)(a)(i) | £1,400 | £1,443 |
| Regulation 80(2)(a)(ii) | £2,642 | £2,724 |
| Regulation 80(2)(a)(iii) | £1,916 | £1,975 |
| Regulation 80(2)(b)(i) | £1,588 | £1,637 |
| Regulation 80(2)(b)(ii) | £2,994 | £3,087 |

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| <i>Column 1</i> | <i>Column 2</i> | <i>Column 3</i> |
|--------------------------------------------------------------|------------------------|-------------------|
| <i>Provision in the 2011 Regulations</i> | <i>Existing figure</i> | <i>New figure</i> |
| Regulation 80(2)(b)(iv) | £2,173 | £2,240 |
| Regulation 80(2)(c)(i) | £2,985 | £3,078 |
| Regulation 80(2)(c)(ii) | £5,441 | £5,610 |
| Regulation 80(2)(c)(iii) | £4,421 | £4,558 |
| Regulation 80(2)(c)(iv) | £3,949 | £4,071 |
| Regulation 80(2)(d)(i) | £3,008 | £3,101 |
| Regulation 80(2)(d)(ii) | £5,446 | £5,615 |
| Regulation 80(2)(d)(iii) | £4,425 | £4,562 |
| Regulation 80(2)(d)(iv) | £3,957 | £4,080 |
| Regulation 80(2)(e)(i) | £3,133 | £3,230 |
| Regulation 80(2)(e)(ii) | £5,449 | £5,618 |
| Regulation 80(2)(e)(iii) | £4,428 | £4,565 |
| Regulation 80(2)(e)(iv) | £3,988 | £4,112 |
| Regulation 80(2)(f)(i) | £3,133 | £3,230 |
| Regulation 80(2)(f)(ii) | £5,449 | £5,618 |
| Regulation 80(2)(f)(iii) | £4,427 | £4,564 |
| Regulation 80(2)(f)(iv) | £3,987 | £4,111 |
| Regulation 80A(2)(i) (first place paragraph (i) occurs) | £7,747 | £7,987 |
| Regulation 80A(2)(ii) (first place paragraph (ii) occurs) | £12,010 | £12,382 |
| Regulation 80A(2)(iii) (first place paragraph (iii) occurs) | £10,539 | £10,866 |
| Regulation 80A(2)(iv) (first place paragraph (iv) occurs) | £9,203 | £9,488 |
| Regulation 80A(2)(i) (second place paragraph (i) occurs) | £7.66 | £7.43 |
| Regulation 80A(2)(ii) (second place paragraph (ii) occurs) | £7.46 | £7.24 |
| Regulation 80A(2)(iii) (second place paragraph (iii) occurs) | £7.51 | £7.29 |
| Regulation 80A(2)(iv) (second place paragraph (iv) occurs) | £7.58 | £7.36 |
| Regulation 80A(3)(i) (first place paragraph (i) occurs) | £7,290 | £7,516 |

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

| <i>Column 1</i> | <i>Column 2</i> | <i>Column 3</i> |
|--------------------------------------------------------------|------------------------|-------------------|
| <i>Provision in the 2011 Regulations</i> | <i>Existing figure</i> | <i>New figure</i> |
| Regulation 80A(3)(ii) (first place paragraph (ii) occurs) | £11,127 | £11,472 |
| Regulation 80A(3)(iii) (first place paragraph (iii) occurs) | £9,434 | £9,726 |
| Regulation 80A(3)(iv) (first place paragraph (iv) occurs) | £8,703 | £8,973 |
| Regulation 80A(3)(i) (second place paragraph (i) occurs) | £7.66 | £7.43 |
| Regulation 80A(3)(ii) (second place paragraph (ii) occurs) | £7.46 | £7.24 |
| Regulation 80A(3)(iii) (second place paragraph (iii) occurs) | £7.51 | £7.29 |
| Regulation 80A(3)(iv) (second place paragraph (iv) occurs) | £7.58 | £7.36 |
| Regulation 80B(2)(i) (first place paragraph (i) occurs) | £9,140 | £9,423 |
| Regulation 80B(2)(ii) (first place paragraph (ii) occurs) | £13,098 | £13,504 |
| Regulation 80B(2)(iii) (first place paragraph (iii) occurs) | £11,732 | £12,096 |
| Regulation 80B(2)(iv) (first place paragraph (iv) occurs) | £10,490 | £10,815 |
| Regulation 80B(2)(i) (second place paragraph (i) occurs) | £4.797 | £4.653 |
| Regulation 80B(2)(ii) (second place paragraph (ii) occurs) | £5.13 | £4.979 |
| Regulation 80B(2)(iii) (second place paragraph (iii) occurs) | £5.002 | £4.856 |
| Regulation 80B(2)(iv) (second place paragraph (iv) occurs) | £4.903 | £4.76 |
| Regulation 80B(2)(i) (third place paragraph (i) occurs) | £7.66 | £7.43 |
| Regulation 80B(2)(ii) (third place paragraph (ii) occurs) | £7.46 | £7.24 |
| Regulation 80B(2)(iii) (third place paragraph (iii) occurs) | £7.51 | £7.29 |
| Regulation 80B(2)(iv) (third place paragraph (iv) occurs) | £7.58 | £7.36 |

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| <i>Column 1</i> | <i>Column 2</i> | <i>Column 3</i> |
|--------------------------------------------------------------|------------------------|-------------------|
| <i>Provision in the 2011 Regulations</i> | <i>Existing figure</i> | <i>New figure</i> |
| Regulation 80B(3)(a) | £5,247 | £5,409 |
| Regulation 80B(3)(b) | £9,205 | £9,490 |
| Regulation 80B(3)(c) | £7,839 | £8,082 |
| Regulation 80B(3)(d) | £6,597 | £6,801 |
| Regulation 80B(4)(i) (first place paragraph (i) occurs) | £8,714 | £8,984 |
| Regulation 80B(4)(ii) (first place paragraph (ii) occurs) | £12,275 | £12,656 |
| Regulation 80B(4)(iii) (first place paragraph (iii) occurs) | £10,704 | £11,036 |
| Regulation 80B(4)(iv) (first place paragraph (iv) occurs) | £10,027 | £10,338 |
| Regulation 80B(4)(i) (second place paragraph (i) occurs) | £4.757 | £4.615 |
| Regulation 80B(4)(ii) (second place paragraph (ii) occurs) | £5.043 | £4.894 |
| Regulation 80B(4)(iii) (second place paragraph (iii) occurs) | £4.895 | £4.752 |
| Regulation 80B(4)(iv) (second place paragraph (iv) occurs) | £4.854 | £4.712 |
| Regulation 80B(4)(i) (third place paragraph (i) occurs) | £7.66 | £7.43 |
| Regulation 80B(4)(ii) (third place paragraph (ii) occurs) | £7.46 | £7.24 |
| Regulation 80B(4)(iii) (third place paragraph (iii) occurs) | £7.51 | £7.29 |
| Regulation 80B(4)(iv) (third place paragraph (iv) occurs) | £7.58 | £7.36 |
| Regulation 80B(5)(a) | £4,821 | £4,970 |
| Regulation 80B(5)(b) | £8,382 | £8,642 |
| Regulation 80B(5)(c) | £6,811 | £7,022 |
| Regulation 80B(5)(d) | £6,134 | £6,324 |
| Regulation 80C(2) | £3,893 | £4,014 |
| Regulation 80C(2) | £4.87 | £4.73 |
| Regulation 81(5)(a) | £65 | £67 |
| Regulation 81(5)(b) | £127 | £131 |

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

| <i>Column 1</i> | <i>Column 2</i> | <i>Column 3</i> |
|------------------------------------------|------------------------|-------------------|
| <i>Provision in the 2011 Regulations</i> | <i>Existing figure</i> | <i>New figure</i> |
| Regulation 81(5)(c) | £137 | £141 |
| Regulation 81(5)(d) | £99 | £102 |
| Regulation 87(4)(a) | £65 | £67 |
| Regulation 87(4)(b) | £127 | £131 |
| Regulation 87(4)(c) | £137 | £141 |
| Regulation 87(4)(d) | £99 | £102 |
| Regulation 105(1)(a) | £3,302 | £3,404 |
| Regulation 105(1)(b) | £5,976 | £6,161 |
| Regulation 105(1)(c) | £5,085 | £5,243 |
| Regulation 105(1)(d) | £4,268 | £4,400 |
| Regulation 105(2)(a) | £2,985 | £3,078 |
| Regulation 105(2)(b) | £5,441 | £5,610 |
| Regulation 105(2)(c) | £4,421 | £4,558 |
| Regulation 105(2)(d) | £3,949 | £4,071 |
| Regulation 105(3)(a) | £3,314 | £3,417 |
| Regulation 105(3)(b) | £5,983 | £6,168 |
| Regulation 105(3)(c) | £5,089 | £5,247 |
| Regulation 105(3)(d) | £4,275 | £4,408 |
| Regulation 105(4)(a) | £3,008 | £3,101 |
| Regulation 105(4)(b) | £5,446 | £5,615 |
| Regulation 105(4)(c) | £4,425 | £4,562 |
| Regulation 105(4)(d) | £3,957 | £4,080 |
| Regulation 105(5)(a) | £3,410 | £3,516 |
| Regulation 105(5)(b) | £5,983 | £6,168 |
| Regulation 105(5)(c) | £5,096 | £5,254 |
| Regulation 105(5)(d) | £4,291 | £4,424 |
| Regulation 105(6)(a) | £3,133 | £3,230 |
| Regulation 105(6)(b) | £5,449 | £5,618 |
| Regulation 105(6)(c) | £4,428 | £4,565 |
| Regulation 105(6)(d) | £3,988 | £4,112 |
| Regulation 105(6A)(a) | £3,410 | £3,516 |

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| <i>Column 1</i> | <i>Column 2</i> | <i>Column 3</i> |
|-----------------------------------------------------------|------------------------|-------------------|
| <i>Provision in the 2011 Regulations</i> | <i>Existing figure</i> | <i>New figure</i> |
| Regulation 105(6A)(b) | £5,981 | £6,166 |
| Regulation 105(6A)(c) | £5,095 | £5,253 |
| Regulation 105(6A)(d) | £4,289 | £4,422 |
| Regulation 105(6B)(a) | £3,133 | £3,230 |
| Regulation 105(6B)(b) | £5,449 | £5,618 |
| Regulation 105(6B)(c) | £4,427 | £4,564 |
| Regulation 105(6B)(d) | £3,987 | £4,111 |
| Regulation 105(6C)(a) | £3,410 | £3,516 |
| Regulation 105(6C)(b) | £5,981 | £6,166 |
| Regulation 105(6C)(c) | £5,095 | £5,253 |
| Regulation 105(6C)(d) | £4,289 | £4,422 |
| Regulation 105(6D)(a) | £3,133 | £3,230 |
| Regulation 105(6D)(b) | £5,449 | £5,618 |
| Regulation 105(6D)(c) | £4,427 | £4,564 |
| Regulation 105(6D)(d) | £3,987 | £4,111 |
| Regulation 157G(1)(a) (first place paragraph (a) occurs) | £7,747 | £7,987 |
| Regulation 157G(1)(b) (first place paragraph (b) occurs) | £12,010 | £12,382 |
| Regulation 157G(1)(c) (first place paragraph (c) occurs) | £10,539 | £10,866 |
| Regulation 157G(1)(d) (first place paragraph (d) occurs) | £9,203 | £9,488 |
| Regulation 157G(1)(a) (second place paragraph (a) occurs) | £7.66 | £7.43 |
| Regulation 157G(1)(b) (second place paragraph (b) occurs) | £7.46 | £7.24 |
| Regulation 157G(1)(c) (second place paragraph (c) occurs) | £7.51 | £7.29 |
| Regulation 157G(1)(d) (second place paragraph (d) occurs) | £7.58 | £7.36 |
| Regulation 157(G)(3) | £3,893 | £4,014 |
| Regulation 157(H)(3) | £3,893 | £4,014 |
| Regulation 157J(1)(a) | £3,410 | £3,516 |

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| <i>Column 1</i> | <i>Column 2</i> | <i>Column 3</i> |
|------------------------------------------|------------------------|-------------------|
| <i>Provision in the 2011 Regulations</i> | <i>Existing figure</i> | <i>New figure</i> |
| Regulation 157J(1)(b) | £5,981 | £6,166 |
| Regulation 157J(1)(c) | £5,095 | £5,253 |
| Regulation 157J(1)(d) | £4,289 | £4,422 |
| Schedule 4, Paragraph 9A(2)(a)(i) | £7.66 | £7.43 |
| Schedule 4, Paragraph 9A(2)(a)(i) | £2,333 | £2,405 |
| Schedule 4, Paragraph 9A(2)(a)(ii) | £7.46 | £7.24 |
| Schedule 4, Paragraph 9A(2)(a)(ii) | £2,396 | £2,468 |
| Schedule 4, Paragraph 9A(2)(a)(iii) | £7.51 | £7.29 |
| Schedule 4, Paragraph 9A(2)(a)(iii) | £2,380 | £2,451 |
| Schedule 4, Paragraph 9A(2)(a)(iv) | £7.58 | £7.36 |
| Schedule 4, Paragraph 9A(2)(a)(iv) | £2,358 | £2,428 |
| Schedule 4, Paragraph 9A(3)(a)(i) | £7.66 | £7.43 |
| Schedule 4, Paragraph 9A(3)(a)(ii) | £7.46 | £7.24 |
| Schedule 4, Paragraph 9A(3)(a)(iii) | £7.51 | £7.29 |
| Schedule 4, Paragraph 9A(3)(a)(iv) | £7.58 | £7.36 |

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend various legislation which makes provision about, or in connection with, student finance.

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These Regulations come into force on 26th November 2020. However:

- (a) regulations 18 to 25 and 29 apply only relation to academic years beginning on or after 1st August 2021, and
- (b) regulations 11 to 17, 30 and 31 apply only in relation to students whose courses start on or after 1st August 2021.

Student Support Regulations 2011: old system students and part-time students who started their courses before 1st September 2012 (regulations 3 and 4)

The Education (Student Support) Regulations 2011 (S.I. 2011/1986) (the “2011 Regulations”) are amended to remove all provisions about the payment of support to: (a) old system students, and (b) part-time students who started their courses before 1st September 2012. These amendments are made because there will not be any students in either of these cohorts in the 2021/22 or future academic years.

Student Support Regulations 2011: graduate entry accelerated programmes and graduate entry veterinary courses (regulation 5)

Graduate entry accelerated programmes, and graduate entry veterinary courses, are added to the list of courses which are “designated courses” for the purposes of the 2011 Regulations.

Notification of absence from courses (regulations 6 to 10)

Various sets of Regulations (“the Student Finance Regulations”) are updated to clarify that applicants for support and eligible students must notify the Secretary of State if they are absent from their course for more than 60 days due to illness or because they have suspended their studies:

- (a) the Education (Student Support) (European University Institute) Regulations 2010 (S.I. 2010/447);
- (b) the 2011 Regulations;
- (c) the Further Education Loans Regulations 2012 (S.I. 2012/1818);
- (d) the Education (Postgraduate Master’s Degree Loans) Regulations 2016 (S.I. 2016/606) (“the Masters Regulations”);
- (e) the Education (Postgraduate Doctoral Degree Loans and the Education (Student Loans) (Repayment) (Amendment) (No. 2) etc.) Regulations 2018 (S.I. 2018/599) (“the Doctoral Regulations”).

This requirement applies in addition to the requirement to notify the Secretary of State if they withdraw or are expelled from, or abandon their course, or transfer to another course.

In addition, the Student Finance Regulations are amended so that the institution at which the applicant or student is or was studying is under a corresponding duty to notify the Secretary of State of relevant changes in the applicant’s or student’s circumstances.

Provision to allow persons granted indefinite leave to remain as a bereaved partner to qualify for student support etc. (regulations 11 to 17)

The Student Finance Regulations are amended to provide that a person who has been granted indefinite leave to remain in the United Kingdom as a bereaved partner is eligible to receive funding in respect of a further education course, an undergraduate higher education course, a master’s degree course or doctoral degree course, or a course at the European University Institute. There is no requirement that these students must have been ordinarily resident in the UK, the EEA or Switzerland for the 3 years immediately prior to the start of their course to qualify for funding. Further, if a

student is granted indefinite leave to remain as a bereaved partner after their course has begun, the student may become eligible for funding.

The Education (Fees and Awards) (England) Regulations 2007 ([S.I. 2007/779](#)) are also amended to provide that a student granted indefinite leave to remain as a bereaved partner cannot be charged higher tuition fees than a prescribed maximum amount.

The Higher Education (Fee Limit Condition) (England) Regulations 2017 ([S.I. 2017/1189](#)) are also amended to provide that a student granted indefinite leave to remain as a bereaved partner is a “qualifying person” meaning the student may not be charged more than the prescribed maximum amount in tuition fees.

Amendment of ordinary residence requirements (regulation 18 to 24)

The Student Finance Regulations are amended so that students in the relevant categories do not have to have been ordinarily resident in the UK for three years prior to the start of their course to qualify for funding but do have to have been ordinarily resident in the UK and Islands since they were granted leave to enter or remain.

The relevant categories are:

- (a) persons granted stateless leave;
- (b) family members of persons granted stateless leave;
- (c) persons granted section 67 leave;
- (d) dependent children of persons granted section 67 leave, who are granted “leave in line”;
- (e) persons granted Calais leave;
- (f) dependent children of a person granted Calais leave who are granted “leave in line”;
- (g) persons granted humanitarian protection;
- (h) family members of persons granted humanitarian protection.

Corresponding amendments are made to the Education (Fees and Awards) (England) Regulations 2007 and the Higher Education (Fee Limit Condition) (England) Regulations 2017.

Student Support Regulations 2011: disabled students’ allowances (regulation 25)

The 2011 Regulations are amended so that the amount of grant that can be paid under regulation 41 (disabled students’ allowance), regulation 147 (disabled part-time students’ allowance) or regulation 166 (grant for postgraduate students with disabilities) to a student in respect of an academic year is:

- (a) up to £25,000 for expenditure other than travel expenditure, and
- (b) for travel expenditure, an amount equal to the expenditure incurred.

In addition, amendments are made so that where a student becomes eligible for support under regulation 41, 147 or 166 during the course of the year, the relevant support can be paid from the quarter in which the event occurs. At present, the support is only payable in respect of quarters of an academic year which begin after the quarter in which the student becomes eligible for support.

Other minor amendments

Amendments are made to the 2011 Regulations in consequence of the inclusion of the new category of “eligible students” mentioned above and to correct the list of “relevant events” which may trigger a student’s qualification for support after the start of an academic year, as well as to correct existing incorrect cross-references in the 2011 Regulations (regulations 26 and 27).

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Regulation 28 amends the Doctoral Regulations to clarify the duration of courses in connection with which students are eligible for support under those Regulations.

New payment rates

The 2011 Regulations are amended to update the payment rates for student support for an academic year which begins on or after 1st August 2021 (regulation 29 and the Schedule).

Regulations 30 and 31 amend the Masters Regulations and the Doctoral Regulations to increase the maximum amounts of master's degree and doctoral degree loans for students beginning their courses on or after 1st August 2021.

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.