
STATUTORY INSTRUMENTS

2018 No. 137

EDUCATION, ENGLAND

The Education (Student Fees, Awards and Support) (Amendment) Regulations 2018

Made - - - - *5th February 2018*
Laid before Parliament *6th February 2018*
Coming into force - - *27th February 2018*

The Secretary of State, 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 sections 24(6) and 47 of the Higher Education Act 2004(3), makes the following Regulations:

PART 1

GENERAL

Citation, commencement and application

1.—(1) These Regulations may be cited as the Education (Student Fees, Awards and Support) (Amendment) Regulations 2018.

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- (1) 1983 c. 40. Section 1 was amended by: paragraph 91 of Part 2 of Schedule 12 to the Education Reform Act 1988 (c. 40); paragraph 19 of Part 1 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 5 of Schedule 3 to the Teaching and Higher Education Act 1998 (c. 30); paragraph 11 of Schedule 9 to the Learning and Skills Act 2000 (c. 21); paragraph 5 of Schedule 21, and Part 3 of Schedule 22, 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 Part 2 of Schedule 14 to the Deregulation Act 2015 (c. 20); S.I. 2005/3238, 2010/1080 and 2010/1158. Section 2 was amended by Schedule 4 to the Teaching and Higher Education Act 1998.
- (2) 1998 c. 30. Section 22 was amended by: section 146(2) of, and Schedule 11 to, the Learning and Skills Act 2000 (c. 21); paragraph 236 of Part 2 of Schedule 6 to the Income Tax (Earnings and Pensions) Act 2003 (c. 1); section 147(3) of the Finance Act 2003 (c. 14); sections 42(1) and 43(2) and (3) of, and Schedule 7 to, the Higher Education Act 2004 (c. 8); section 257(2) of the Apprenticeships, Skills, Children and Learning Act 2009 (c. 22); section 76(1) and (2)(a) of the Education Act 2011; and S.I. 2013/1881. Section 22 is also amended by section 86(2) to (7) of the Higher Education and Research Act 2017 (c. 29) but those amendments are not yet in force. Section 43(1) of the Teaching and Higher Education Act 1998 defines “prescribed” and “regulations”.
- (3) 2004 c. 8. Section 24(6) was amended by paragraph 26 of Schedule 4 to the Education Act 2005 and paragraph 20(1) and (4) of Schedule 5 to the Education Act 2011. Section 24(6) is repealed by paragraph 30(2) of Schedule 11 to the Higher Education and Research Act 2017 but that repeal is not yet in force. Section 47 is amended by paragraph 30(3) of Schedule 11 to the Higher Education and Research Act 2017 but those amendments are not yet in force.

(2) These Regulations come into force on 27th February 2018 and, subject to paragraphs (3) and (4), apply from that date.

(3) Regulations 3, 5, 6, 8, 11 and 13 apply in relation to the provision of support to students in relation to an academic year which begins on or after 1st August 2018 whether anything done under these Regulations is done before, on or after that date.

(4) Regulations 7, 12, 14 and 16 to 18 apply in relation to the provision of support to students in relation to a course which begins on or after 1st August 2018 whether anything done under these Regulations is done before, on or after that date.

(5) In paragraph (3), “academic year” means 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 begins, respectively—

- (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.

PART 2

AMENDMENT OF THE EDUCATION (STUDENT SUPPORT) REGULATIONS 2011

Amendment of the Education (Student Support) Regulations 2011

2. The Education (Student Support) Regulations 2011(4) are amended in accordance with regulations 3 to 9.

Amendments relating to support available to members of the armed forces and their families and dependants

3.—(1) In regulation 13(5) (miscellaneous), after paragraph (6), insert—

“(6A) For the purposes of paragraph (6), a person (“A”) is to be treated as being ordinarily resident in England for any period during which A would have been so resident but for the fact that—

- (a) A,
- (b) A’s spouse or civil partner,
- (c) A’s parent, or
- (d) in the case of a dependent direct relative in the ascending line, A’s child or child’s spouse or civil partner,

is or was temporarily employed in Wales, Scotland or Northern Ireland as a member of the regular naval, military or air forces of the Crown.”.

(2) In regulation 40(6) (qualifying conditions for the disabled students’ allowance), after paragraph (2), insert—

(4) S.I. 2011/1986, amended by S.I. 2012/1653, 2013/235, 2013/630, 2013/1728, 2013/3106, 2014/1766, 2014/2103, 2014/2765, 2015/1951, 2016/211, 2016/270, 2016/584, 2017/52, 2017/114, 2017/204 and S.I. 2018/136.

(5) Regulation 13 was amended by S.I. 2012/1653, 2014/2765, 2017/114 and 2018/136.

(6) Regulation 40 was substituted by S.I. 2014/2765.

“(2A) For the purposes of paragraph (2), a person (“A”) is to be treated as being ordinarily resident in England for any period during which A would have been so resident but for the fact that—

- (a) A,
- (b) A’s spouse or civil partner,
- (c) A’s parent, or
- (d) in the case of a dependent direct relative in the ascending line, A’s child or child’s spouse or civil partner,

is or was temporarily employed in Wales, Scotland or Northern Ireland as a member of the regular naval, military or air forces of the Crown.”.

(3) In regulation 144(7) (fee support for designated part-time courses beginning on or after 1st September 2012), after paragraph (3), insert—

“(3ZA) For the purposes of paragraph (3)(b), a person (“A”) is to be treated as being ordinarily resident in England for any period during which A would have been so resident but for the fact that—

- (a) A,
- (b) A’s spouse or civil partner,
- (c) A’s parent, or
- (d) in the case of a dependent direct relative in the ascending line, A’s child or child’s spouse or civil partner,

is or was temporarily employed in Wales, Scotland or Northern Ireland as a member of the regular naval, military or air forces of the Crown.”.

Amendments relating to availability of support to students with previous study

4.—(1) In regulation 19(8) (availability of fee loans to current system students – general)—

- (a) in paragraph (3A), for “(3D)”, substitute “(3E)”;
(b) for paragraph (3D), substitute—

“(3D) Paragraphs (3B) and (3C) do not apply if the Secretary of State considers that there are exceptional circumstances.”;

- (c) after paragraph (3D), insert—

“(3E) Where the Secretary of State considers that there are exceptional circumstances, the Secretary of State may determine that the student should qualify for a fee loan in respect of one or more academic years of the current course, as appropriate, whether or not the student has completed those academic years prior to the Secretary of State making the determination.”;

- (d) in paragraph (9A), for “(9D)”, substitute “(9E)”;
(e) for paragraph (9D), substitute—

“(9D) Paragraphs (9B) and (9C) do not apply if the Secretary of State considers that there are exceptional circumstances.”;

- (f) after paragraph (9D), insert—

“(9E) Where the Secretary of State considers that there are exceptional circumstances, the Secretary of State may determine that the student should qualify for

(7) Regulation 144 was amended by [S.I. 2012/1653](#), [2014/2765](#) and [2017/114](#).

(8) Regulation 19 was amended by [S.I. 2013/1728](#), [2014/2765](#), [2015/1951](#) and [2017/114](#).

a fee loan in respect of one or more academic years of the current course, as appropriate, whether or not the student has completed those academic years prior to the Secretary of State making the determination.”.

(2) In regulation 69(9) (qualifying conditions for the loan for living costs – current system students)—

(a) in paragraph (2B), for “(2E)”, substitute “(2F)”;

(b) for paragraph (2E), substitute—

“(2E) Paragraphs (2C) and (2D) do not apply if the Secretary of State considers that there are exceptional circumstances.”;

(c) after paragraph (2E), insert—

“(2F) Where the Secretary of State considers that there are exceptional circumstances, the Secretary of State may determine that the student should qualify for a loan for living costs in respect of one or more academic years of the current course, as appropriate, whether or not the student has completed those academic years prior to the Secretary of State making the determination.”.

(3) In regulation 141(10) (assistance for part-time courses in respect of courses beginning before 1st September 2012)—

(a) in paragraph (9), for “(12)”, substitute “(12A)”;

(b) for paragraph (12), substitute—

“(12) Paragraphs (10) and (11) do not apply if the Secretary of State considers that there are exceptional circumstances.”;

(c) after paragraph (12), insert—

“(12A) Where the Secretary of State considers that there are exceptional circumstances, the Secretary of State may determine that the student should qualify for support under this regulation in respect of one or more academic years of the current part-time course, as appropriate, whether or not the student has completed those academic years prior to the Secretary of State making the determination.”.

(4) In regulation 144 (fee support for designated part-time courses beginning on or after 1st September 2012)—

(a) in paragraph (9), for “(12)”, substitute “(12A)”;

(b) for paragraph (12), substitute—

“(12) Paragraphs (10) and (11) do not apply if the Secretary of State considers that there are exceptional circumstances.”;

(c) after paragraph (12), insert—

“(12A) Where the Secretary of State considers that there are exceptional circumstances, the Secretary of State may determine that the student should qualify for support under this regulation in respect of one or more academic years of the current part-time course, as appropriate, whether or not the student has completed those academic years prior to the Secretary of State making the determination.”.

Amendments relating to new payment rates for student support

5.—(1) In regulation 23(6A)(b)(11) and (6B)(b)(12) (amount of the fee loan)—

(9) Regulation 69 was amended by S.I. 2013/1728, 2014/2765, 2015/1951, 2016/270, 2017/114 and 2018/136.

(10) Regulation 141 was amended by S.I. 2012/1653, 2014/2765 and 2017/114.

(11) Paragraph (6A) of regulation 23 was inserted by S.I. 2013/1728 and sub-paragraph (b) of that paragraph was subsequently amended by S.I. 2017/114.

- (a) omit “or Wales”;
- (b) for “, (4A), (5ZA) or (5ZB)”, substitute “or (4A)”.

(2) Schedule 1 to these Regulations has effect to substitute the figure in the third column of the table for the figure in the second column where that figure appears in the provision of the Education (Student Support) Regulations 2011 set out in the first column.

Amendments relating to designated distance learning courses

6.—(1) In regulation 2(1) (interpretation)—

- (a) omit the following definitions—
 - (i) “current distance learning course”;
 - (ii) “designated distance learning course”;
 - (iii) “eligible distance learning student”;
- (b) in the definition of “end-on course”**(13)**—
 - (i) in paragraph (d), omit “or designated distance learning course”;
 - (ii) in paragraph (f), omit from “a designated” to “Schedule 2 or”;
- (c) in the definition of “period of eligibility”, omit “in regulation 123 in relation to an eligible distance learning student.”.

(2) In regulation 4**(14)** (eligible students)—

- (a) omit paragraph (7)(b);
- (b) in paragraphs (12)(a)(i) and (13)(a)(i), omit—
 - (i) “, designated distance learning course”;
 - (ii) “, eligible distance learning student”.

(3) In regulation 5**(15)** (designated courses)—

- (a) in the opening words of paragraph (1), omit “(3),”;
- (b) in paragraph (1)(b)(i), omit “subject to paragraph (3),”;
- (c) omit paragraphs (3) and (3A).

(4) In regulation 12(1)**(16)** (previous course), in sub-paragraphs (a) and (b)(iii), for “a designated”, substitute “a full-time”.

(5) Omit Part 10 (support for designated distance learning courses).

(6) In regulation 137**(17)** (eligible part-time students)—

- (a) in paragraphs (10)(a) and (11)(a)—
 - (i) omit “, designated distance learning course”;
 - (ii) for “, eligible student or eligible distance learning student”, substitute “or eligible student”;
- (b) omit paragraph (13)(c).

(7) In regulation 139(1)**(18)** (designated part-time courses)—

(12) Paragraph (6B) of regulation 23 was inserted by [S.I. 2013/1728](#) and sub-paragraph (b) of that paragraph was subsequently amended by [S.I. 2017/114](#).

(13) The definition of “end-on course” was amended by [S.I. 2012/1653](#) and [2015/1951](#).

(14) Regulation 4 was amended by [S.I. 2015/1951](#), [2017/114](#) and [2018/136](#).

(15) Regulation 5 was amended by [S.I. 2013/1728](#), [2013/3106](#), [2014/2765](#), [2015/1951](#), [2017/114](#) and [2018/136](#).

(16) Regulation 12(1) was amended by [S.I. 2014/2765](#).

(17) Regulation 137 was amended by [S.I. 2015/1951](#) and [2017/114](#).

(18) Regulation 139(1) was amended by [S.I. 2014/2765](#).

- (a) at the end of sub-paragraph (e), insert “and”;
- (b) omit sub-paragraph (g) and the “and” before it.
- (8) In regulation 152 (conversion of status), omit paragraphs (5) to (11) and (14) to (18).
- (9) In regulation 159(18) (eligible postgraduate students), omit sub-paragraph (b).
- (10) In Schedule 1(19) (eligible students), in Part 2 (categories), in paragraph 9(1)(b)(i), omit “or designated distance learning course”.

Amendments relating to support available to persons granted stateless leave and their families

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

““person granted stateless leave” means a person who—

- (a) has extant leave to remain as a stateless person under the immigration rules (within the meaning given in section 33(1) of the Immigration Act 1971(20)); and
- (b) has been ordinarily resident in the United Kingdom and Islands throughout the period since the person was granted such leave;”.

(2) In regulation 4 (eligible students), after paragraph (12), insert—

“(12A) Where—

- (a) the Secretary of State determined that, by virtue of being a person granted stateless leave or the spouse, civil partner, child or step-child of a person granted stateless leave, a person (“A”) was an eligible student in connection with—
 - (i) an application for support for an earlier year of the current course,
 - (ii) an application for support for a course in relation to which the current course is an end-on course, or
 - (iii) an application for support in connection with a designated part-time course or other designated course from which A’s status as an eligible part-time student or eligible student has been transferred to the current course, and
- (b) as at the day before the academic year in respect of which A is applying for support begins, the period for which the person granted stateless leave is allowed to stay in the United Kingdom has expired and no further leave to remain has been granted,

A’s status as an eligible student terminates immediately before the first day of the academic year in respect of which A is applying for support.”.

(3) In regulation 17(b) (events), after “becomes”, insert “a person granted stateless leave or”.

(4) In regulation 85(2)(b) (students becoming eligible in the course of an academic year), after “becomes”, insert “a person granted stateless leave or”.

(5) In regulation 137 (eligible part-time students), after paragraph (10), insert—

“(10A) Where—

- (a) the Secretary of State determined that, by virtue of being a person granted stateless leave or the spouse, civil partner, child or step-child of a person granted stateless leave, a person (“A”) was an eligible part-time student in connection with—
 - (i) an application for support for an earlier year of the current part-time course,
 - or

(19) Schedule 1 was amended by S.I. 2012/1653, 2016/270, 2016/584 and 2017/114.

(20) 1971 c. 77.

- (ii) an application for support in connection with a designated part-time course or other designated course from which A's status as an eligible part-time student or eligible student has been transferred to the current part-time course, and
 - (b) as at the day before the academic year in respect of which A is applying for support begins, the period for which the person granted stateless leave is allowed to stay in the United Kingdom has expired and no further leave to remain has been granted, A's status as an eligible part-time student terminates immediately before the first day of the academic year in respect of which A is applying for support."
- (6) In regulation 138(4)(b) (students becoming eligible during the course of the academic year), after "becomes", insert "a person granted stateless leave or".
- (7) In regulation 159(21) (eligible postgraduate students), after paragraph (15), insert—
 - "(15A) Where—
 - (a) the Secretary of State determined that, by virtue of being a person granted stateless leave or the spouse, civil partner, child or step-child of a person granted stateless leave, a person ("A") was an eligible postgraduate student in connection with—
 - (i) an application for support for an earlier year of the current postgraduate course, or
 - (ii) an application for support in connection with another designated postgraduate course from which A's status as an eligible postgraduate student has been transferred to the current postgraduate course, and
 - (b) as at the day before the academic year in respect of which A is applying for support begins, the period for which the person granted stateless leave is allowed to stay in the United Kingdom has expired and no further leave to remain has been granted, A's status as an eligible postgraduate student terminates immediately before the first day of the academic year in respect of which A is applying for support."
- (8) In regulation 160(2)(b) (students becoming eligible in the course of an academic year), after "becomes", insert "a person granted stateless leave or".
- (9) In Schedule 1 (eligible students), in Part 2 (categories), after paragraph 4, insert—

"Persons granted stateless leave and their family members

- 4A.—**(1) A person granted stateless leave who—
 - (a) is ordinarily resident in England on the first day of the first academic year of the course; and
 - (b) has been ordinarily resident in the United Kingdom and Islands throughout the three-year period preceding the first day of the first academic year of the course.
- (2) A person—
 - (a) who—
 - (i) is the spouse or civil partner of a person granted stateless leave; and
 - (ii) on the leave application date, was the spouse or civil partner of a person granted stateless leave;
 - (b) who is ordinarily resident in England on the first day of the first academic year of the course; and

- (c) who has been ordinarily resident in the United Kingdom and Islands throughout the three-year period preceding the first day of the first academic year of the course.
- (3) A person—
 - (a) who—
 - (i) is the child of a person granted stateless leave or the child of the spouse or civil partner of a person granted stateless leave; and
 - (ii) on the leave application date, was the child of a person granted stateless leave or the child of a person who, on the leave application date, was the spouse or civil partner of a person granted stateless leave;
 - (b) who was under 18 on the leave application date;
 - (c) who is ordinarily resident in England on the first day of the first academic year of the course; and
 - (d) who has been ordinarily resident in the United Kingdom and Islands throughout the three-year period preceding the first day of the first academic year of the course.
- (4) In this paragraph, “leave application date” means the date on which a person granted stateless leave made an application to remain in the United Kingdom as a stateless person under the immigration rules (within the meaning given in section 33(1) of the Immigration Act 1971).”.

Amendments relating to institutions listed in Schedule 5

8. For Schedule 5(22) (institutions to whom regulations 23(4A) and 145(2)(c) apply), substitute the Schedule set out in Schedule 2 to these Regulations.

Amendment relating to the definition of “end-on course”

9. In regulation 2(1) (interpretation), in the definition of “end-on course”, omit paragraph (c).

PART 3

AMENDMENT OF THE EDUCATION (POSTGRADUATE MASTER’S DEGREE LOANS) REGULATIONS 2016

Amendment of the Education (Postgraduate Master’s Degree Loans) Regulations 2016

10. The Education (Postgraduate Master’s Degree Loans) Regulations 2016(23) are amended in accordance with regulations 11 to 15.

Amendments relating to support available to members of the armed forces and their families and dependants

11. In regulation 3(24) (eligible students), after paragraph (4), insert—

“(4A) For the purposes of paragraph (4), a person (“A”) is to be treated as being ordinarily resident in England for any period during which A would have been so resident but for the fact that—

(22) Schedule 5 was inserted by S.I. 2017/114.

(23) S.I. 2016/606, amended by S.I. 2016/668, 2017/594 and 2017/831.

(24) Regulation 3 was amended by S.I. 2017/594.

- (a) A,
- (b) A's spouse or civil partner,
- (c) A's parent, or
- (d) in the case of a dependent direct relative in the ascending line, A's child or child's spouse or civil partner,

is or was temporarily employed in Wales, Scotland or Northern Ireland as a member of the regular naval, military or air forces of the Crown.”.

Amendments relating to the amount of the postgraduate master's degree loan

12. In regulation 12(25) (amount of the postgraduate master's degree loan), in paragraphs (1) and (2), for “£10,280”, substitute “£10,609”.

Amendments relating to designated distance learning courses

13. In regulation 3 (eligible students)—

- (a) in paragraph (3)(f), omit “, 122 (designated distance learning course)”; and
- (b) in paragraph (4), after “first day of”, insert “the first academic year of”.

Amendments relating to support available to persons granted stateless leave and their families

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

““person granted stateless leave” means a person who—

- (a) has extant leave to remain as a stateless person under the immigration rules (within the meaning given in section 33(1) of the Immigration Act 1971); and
- (b) has been ordinarily resident in the United Kingdom and Islands throughout the period since the person was granted such leave.”.

(2) In regulation 8(b) (events), after “becomes”, insert “a person granted stateless leave or”.

(3) In Schedule 1(26) (eligible students), Part 2 (categories), after paragraph 4, insert—

“Persons granted stateless leave and their family members

4A.—(1) A person granted stateless leave who—

- (a) is ordinarily resident in England on the first day of the first academic year of the course; and
- (b) has been ordinarily resident in the United Kingdom and Islands throughout the three-year period preceding the first day of the first academic year of the course.

(2) A person—

- (a) who—
 - (i) is the spouse or civil partner of a person granted stateless leave; and
 - (ii) on the leave application date, was the spouse or civil partner of a person granted stateless leave;

(25) Regulation 12 was amended by S.I. 2017/594 and 2018/136.

(26) Schedule 1 was amended by S.I. 2017/594.

- (b) who is ordinarily resident in England on the first day of the first academic year of the course; and
 - (c) who has been ordinarily resident in the United Kingdom and Islands throughout the three-year period preceding the first day of the first academic year of the course.
- (3) A person—
- (a) who—
 - (i) is the child of a person granted stateless leave or the child of the spouse or civil partner of a person granted stateless leave; and
 - (ii) on the leave application date, was the child of a person granted stateless leave or the child of a person who, on the leave application date, was the spouse or civil partner of a person granted stateless leave;
 - (b) was under 18 on the leave application date;
 - (c) is ordinarily resident in England on the first day of the first academic year of the course; and
 - (d) has been ordinarily resident in the United Kingdom and Islands throughout the three-year period preceding the first day of the first academic year of the course.
- (4) In this paragraph, “leave application date” means the date on which the person granted stateless leave made an application to remain in the United Kingdom as a stateless person under the immigration rules (within the meaning given in section 33(1) of the Immigration Act 1971).”.

Amendments relating to support available to persons granted humanitarian protection and their families

15. In Schedule 1 (eligible students), Part 2 (categories), in paragraph 5(1)(a), (2)(c) and (3)(d), for “the United Kingdom”, substitute “England”.

PART 4

AMENDMENT OF OTHER INSTRUMENTS

Amendment of the Student Fees (Qualifying Courses and Persons) (England) Regulations 2007

16. In the Student Fees (Qualifying Courses and Persons) (England) Regulations 2007(27), in the Schedule(28) (qualifying persons)—

- (a) in paragraph 1(1), after the definition of “person granted humanitarian protection”, insert —
 - ““person granted stateless leave” means a person who—
 - (a) has extant leave to remain as a stateless person under the immigration rules (within the meaning given in section 33(1) of the Immigration Act 1971); and
 - (b) has been ordinarily resident in the United Kingdom and Islands throughout the period since the person was granted such leave;”;
- (b) after paragraph 4, insert—

(27) S.I. 2007/778, amended by S.I. 2007/2263, 2008/1640, 2011/87, 2011/1043, 2012/1653, 2016/584 and 2017/114.

(28) The Schedule was amended by S.I. 2007/2263, 2011/87, 2011/1043, 2012/1653, 2016/584 and 2017/114.

“Persons granted stateless leave and their family members

- 4A.—**(1) A person granted stateless leave who—
- (a) is ordinarily resident in the United Kingdom on the first day of the first academic year of the course; and
 - (b) has been ordinarily resident in the United Kingdom and Islands throughout the three-year period preceding that date.
- (2) A person—
- (a) who—
 - (i) is the spouse or civil partner of a person granted stateless leave; and
 - (ii) on the leave application date, was the spouse or civil partner of a person granted stateless leave;
 - (b) who is ordinarily resident in the United Kingdom on the first day of the first academic year of the course; and
 - (c) who has been ordinarily resident in the United Kingdom and Islands throughout the three-year period preceding the first day of the first academic year of the course.
- (3) A person—
- (a) who—
 - (i) is the child of a person granted stateless leave or the child of the spouse or civil partner of a person granted stateless leave; and
 - (ii) on the leave application date, was the child of a person granted stateless leave or the child of a person who, on the leave application date, was the spouse or civil partner of a person granted stateless leave;
 - (b) who was under 18 on the leave application date;
 - (c) who is ordinarily resident in the United Kingdom on the first day of the first academic year of the course; and
 - (d) who has been ordinarily resident in the United Kingdom and Islands throughout the three-year period preceding the first day of the first academic year of the course.

(4) In this paragraph, “leave application date” means the date on which the person granted stateless leave made an application to remain in the United Kingdom as a stateless person under the immigration rules (within the meaning given in section 33(1) of the Immigration Act 1971).”.

Amendment of the Education (Fees and Awards) (England) Regulations 2007

17. In the Education (Fees and Awards) (England) Regulations 2007(**29**), in Schedule 1(**30**) (categories of person)—

- (a) in paragraph 1, after the definition of “person granted humanitarian protection”, insert—
““person granted stateless leave” means a person—

(29) S.I. 2007/779, amended by S.I. 2007/2263, 2010/1172, 2010/1941, 2011/87, 2011/1043, 2011/1987, 2012/765, 2012/956, 2012/1653, 2015/971, 2016/584 and 2017/114.

(30) Schedule 1 was amended by S.I. 2007/2263, 2011/87, 2011/1043, 2011/1987, 2016/584 and 2017/114.

- (a) who has extant leave to remain as a stateless person under the immigration rules (within the meaning given in section 33(1) of the Immigration Act 1971); and
 - (b) who has been ordinarily resident in the United Kingdom and Islands throughout the period since the person was granted such leave;”;
- (b) after paragraph 4, insert—

“Persons granted stateless leave and their family members

4A.—(1) A person granted stateless leave who—

- (a) is ordinarily resident in the United Kingdom on the first day of the first academic year of the course; and
- (b) has been ordinarily resident in the United Kingdom and Islands throughout the three-year period preceding the first day of the first academic year of the course.

(2) A person—

- (a) who—
 - (i) is the spouse or civil partner of a person granted stateless leave; and
 - (ii) on the leave application date, was the spouse or civil partner of a person granted stateless leave;
- (b) who is ordinarily resident in the United Kingdom on the first day of the first academic year of the course; and
- (c) who has been ordinarily resident in the United Kingdom and Islands throughout the three-year period preceding the first day of the first academic year of the course.

(3) A person—

- (a) who—
 - (i) is the child of a person granted stateless leave or the child of the spouse or civil partner of a person granted stateless leave; and
 - (ii) on the leave application date, was the child of a person granted stateless leave or the child of a person who, on the leave application date, was the spouse or civil partner of a person granted stateless leave;
- (b) was under 18 on the leave application date;
- (c) is ordinarily resident in the United Kingdom on the first day of the first academic year of the course; and
- (d) has been ordinarily resident in the United Kingdom and Islands throughout the three-year period preceding the first day of the first academic year of the course.

(4) In this paragraph, “leave application date” means the date on which the person granted stateless leave made an application to remain in the United Kingdom as a stateless person under the immigration rules (within the meaning given in section 33(1) of the Immigration Act 1971).”.

Amendment of the Education (Student Support) (European University Institute) Regulations 2010

18.—(1) The Education (Student Support) (European University Institute) Regulations 2010⁽³¹⁾ are amended as follows.

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

““person granted stateless leave” means a person who—

- (a) has extant leave to remain as a stateless person under the immigration rules (within the meaning given in section 33(1) of the Immigration Act 1971); and
- (b) has been ordinarily resident in the United Kingdom and Islands throughout the period since the person was granted such leave;”.

(3) In regulation 9⁽³²⁾ (eligible students), after paragraph (10), insert—

“(10A) Where—

- (a) the Secretary of State determined that, by virtue of being a person granted stateless leave, or the spouse, civil partner, child or step-child of a person granted stateless leave, a person (“A”) was an eligible student in connection with—

- (i) an application for support for an earlier year of the current course, or
 - (ii) an application for support for a designated course at the Institute from which A’s status as an eligible student has been transferred to the current course, and

- (b) as at the day before the academic year in respect of which A is applying for support begins, the period for which the person granted stateless leave is allowed to stay in the United Kingdom has expired and no further leave to remain has been granted,

A’s status as an eligible student terminates immediately before the first day of the academic year in respect of which A is applying for support.”.

(4) In Schedule 1⁽³³⁾ (eligible students), Part 2 (categories), after paragraph 4, insert—

“Persons granted stateless leave and their family members

4A.—(1) A person granted stateless leave who—

- (a) is ordinarily resident in England on the relevant date; and
- (b) has been ordinarily resident in the United Kingdom and Islands throughout the three-year period preceding the relevant date.

(2) A person—

- (a) who—
 - (i) is the spouse or civil partner of a person granted stateless leave; and
 - (ii) on the leave application date, was the spouse or civil partner of a person granted stateless leave;

- (b) who is ordinarily resident in England on the relevant date; and

- (c) who has been ordinarily resident in the United Kingdom and Islands throughout the three-year period preceding the relevant date.

(3) A person—

⁽³¹⁾ S.I. 2010/447, amended by S.I. 2011/83, 2011/2430, 2012/3059, 2013/630, 2013/1728, 2016/211, 2017/114 and 2017/204.

⁽³²⁾ Regulation 9 was amended by S.I. 2011/83 and 2012/3059.

⁽³³⁾ Schedule 1 was amended by S.I. 2013/1728.

- (a) who—
 - (i) is the child of a person granted stateless leave or the child of the spouse or civil partner of a person granted stateless leave; and
 - (ii) on the leave application date, was the child of a person granted stateless leave or the child of a person who, on the leave application date, was the spouse or civil partner of a person granted stateless leave;
- (b) was under 18 on the leave application date;
- (c) is ordinarily resident in England on the relevant date; and
- (d) has been ordinarily resident in the United Kingdom and Islands throughout the three-year period preceding the first day of the first academic year of the course.

(4) In this paragraph, “leave application date” means the date on which the person granted stateless leave made an application to remain in the United Kingdom as a stateless person under the immigration rules (within the meaning given in section 33(1) of the Immigration Act 1971).”.

5th February 2018

Sam Gyimah
Minister of State
Department for Education

SCHEDULE 1

Regulation 5(2)

New payment rates for student support under the Education (Student Support) Regulations 2011

<i>Provision in the Education (Student Support) Regulations 2011</i>	<i>Existing figure</i>	<i>New figure</i>
<i>Regulation 41(34)</i>		
Regulation 41(2)(a)	£21,305	£21,987
Regulation 41(2)(b)	£5,358	£5,529
Regulation 41(2)(d)	£1,790	£1,847
<i>Regulation 44(35)</i>		
Regulation 44(3)(a)	£2,834	£2,925
Regulation 44(3)(b)	£2,834	£2,925
<i>Regulation 45(36)</i>		
Regulation 45(5)(a)	£159.59	£164.70
Regulation 45(5)(b)	£273.60	£282.36
Regulation 45(9)	£123.38	£127.33
<i>Regulation 46(37)</i>		
Regulation 46(2)	£1,617	£1,669
<i>Regulation 57(38)</i>		
Regulation 57(1)	£3,197	£3,299
Regulation 57(5)(a)	£3,197	£3,299
Regulation 57(5)(b)	£3,197	£3,299
Regulation 57(5)(b)	£5.41	£5.24
Regulation 57(5)(b)	£19.50	£18.88
<i>Regulation 58(39)</i>		
Regulation 58(1)	£3,197	£3,299
Regulation 58(5)(a)	£3,197	£3,299

- (34) The figures in the second column relating to regulation 41, where they appear in the provisions of that regulation set out in the first column, were substituted by [S.I. 2017/114](#).
- (35) the figures in the second column relating to regulation 44, where they appear in the provisions of that regulation set out in the first column, were substituted by [S.I. 2017/114](#).
- (36) The figures in the second column relating to regulation 45, where they appear in the provisions of that regulation set out in the first column, were substituted by [S.I. 2017/114](#).
- (37) The figure of £1,617 in regulation 46(2) was substituted by [S.I. 2017/114](#).
- (38) [S.I. 2015/1951](#) substituted paragraph (1) of regulation 57. The figure of “£19.50” in regulation 57(5)(b) was substituted by [S.I. 2013/1728](#). All other figures in the second column relating to regulation 57, where they appear in the provisions of that regulation set out in the first column, were substituted by [S.I. 2017/114](#).
- (39) [S.I. 2015/1951](#) substituted paragraph (1) of regulation 58 and amended paragraph (5) of that regulation. The figure of “£4.85” in regulation 58(5)(b) was substituted by [S.I. 2012/1653](#). All other figures in the second column relating to regulation 58, where they appear in the provisions of that regulation set out in the first column, were substituted by [S.I. 2017/114](#).

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

<i>Provision in the Education (Student Support) Regulations 2011</i>	<i>Existing figure</i>	<i>New figure</i>
Regulation 58(5)(b)	£3,197	£3,299
Regulation 58(5)(b)	£4.85	£4.70
Regulation 58(5)(b)	£13.29	£12.86
<i>Regulation 59(40)</i>		
Regulation 59(1)	£3,482	£3,593
Regulation 59(2)(a)	£3,482	£3,593
Regulation 59(2)(b)	£42,641	£42,645
Regulation 59(2)(b)	£3,482	£3,593
Regulation 59(2)(b)	£5.14	£4.98
Regulation 59(2)(c)	£42,641	£42,645
<i>Regulation 60(41)</i>		
Regulation 60(1)	£3,197	£3,299
Regulation 60(5)(a)	£3,197	£3,299
Regulation 60(5)(b)	£3,197	£3,299
Regulation 60(5)(b)	£5.41	£5.24
Regulation 60(5)(b)	£8.51	£8.24
<i>Regulation 62(42)</i>		
Regulation 62(1)	£3,197	£3,299
Regulation 62(5)(a)	£3,197	£3,299
Regulation 62(5)(b)	£3,197	£3,299
Regulation 62(5)(b)	£5.41	£5.24
Regulation 62(5)(b)	£19.50	£18.88
<i>Regulation 63(43)</i>		
Regulation 63(1)	£3,197	£3,299
Regulation 63(5)(a)	£3,197	£3,299
Regulation 63(5)(b)	£3,197	£3,299

(40) The figures in the second column relating to regulation 59, where they appear in the provisions of that regulation set out in the first column, were substituted by [S.I. 2017/114](#).

(41) [S.I. 2015/1951](#) substituted paragraph (1) of regulation 60 and amended paragraph (5) of that regulation. The figure of “£8.51” in regulation 60(5)(b) was substituted by [S.I. 2013/1728](#). All other figures in the second column relating to regulation 60, where they appear in the provisions of that regulation set out in the first column, were substituted by [S.I. 2017/114](#).

(42) [S.I. 2015/1951](#) substituted paragraph (1) of regulation 62 and amended paragraph (5) of that regulation. The figure of “£19.50” in regulation 62(5)(b) was substituted by [S.I. 2013/1728](#). All other figures in the second column relating to regulation 62, where they appear in the first column of that regulation, were substituted by [S.I. 2017/114](#).

(43) [S.I. 2015/1951](#) substituted paragraph (1) of regulation 63 and amended paragraph (5) of that regulation. The figure of “£4.85” in regulation 63(5)(b) was substituted by [S.I. 2012/1653](#). All other figures in the second column relating to regulation 63, where they appear in the provisions of that regulation set out in the first column, were substituted by [S.I. 2017/114](#).

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<i>Provision in the Education (Student Support) Regulations 2011</i>	<i>Existing figure</i>	<i>New figure</i>
Regulation 63(5)(b)	£4.85	£4.70
Regulation 63(5)(b)	£13.29	£12.86
<i>Regulation 64(44)</i>		
Regulation 64(1)	£3,482	£3,593
Regulation 64(2)(a)	£3,482	£3,593
Regulation 64(2)(b)	£42,641	£42,645
Regulation 64(2)(b)	£3,482	£3,593
Regulation 64(2)(b)	£5.14	£4.98
Regulation 64(2)(c)	£42,641	£42,645
<i>Regulation 65(45)</i>		
Regulation 65(1)	£3,197	£3,299
Regulation 65(5)(a)	£3,197	£3,299
Regulation 65(5)(b)	£3,197	£3,299
Regulation 65(5)(b)	£5.41	£5.24
Regulation 65(5)(b)	£8.51	£8.24
<i>Regulation 68(46)</i>		
Regulation 68(b)(i)	£1,400	£1,444
Regulation 68(b)(ii)	£1,400, both times it appears	£1,444
<i>Regulation 72(47)</i>		
Regulation 72(2)(i)	£4,034	£4,163
Regulation 72(2)(ii)	£7,299	£7,533
Regulation 72(2)(iii)	£6,210	£6,409
Regulation 72(2)(iv)	£5,213	£5,380
Regulation 72(2)	£8.44	£8.17
Regulation 72(3)(i)	£3,645	£3,762
Regulation 72(3)(ii)	£6,645	£6,858
Regulation 72(3)(iii)	£5,399	£5,572

(44) Regulation 64(1) and (2) was amended by [S.I. 2012/1653](#). All figures in the second column relating to regulation 64, where they appear in the provisions of that regulation set out in the first column, were substituted by [S.I. 2017/114](#).

(45) [S.I. 2015/1951](#) substituted paragraph (1) of regulation 65 and amended paragraph (5) of that regulation. The figure of “£8.51” in regulation 65(5)(b) was substituted by [S.I. 2013/1728](#). All other figures in the second column relating to regulation 65, where they appear in the provisions of that regulation set out in the first column, were substituted by [S.I. 2017/114](#).

(46) The figure of “£1,400” in regulation 68(b)(i) and both times it appears in regulation 68(b)(ii) was substituted by [S.I. 2013/1728](#).

(47) The figures in the second column relating to regulation 72, where they appear in the provisions of that regulation set out in the first column, were substituted by [S.I. 2017/114](#).

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<i>Provision in the Education (Student Support) Regulations 2011</i>	<i>Existing figure</i>	<i>New figure</i>
Regulation 72(3)(iv)	£4,823	£4,977
Regulation 72(3)	£8.44	£8.17
Regulation 72(6)(a)	£4,034	£4,163
Regulation 72(6)(b)	£7,299	£7,533
Regulation 72(6)(c)	£6,210	£6,409
Regulation 72(6)(d)	£5,213	£5,380
Regulation 72(7)(a)	£3,645	£3,762
Regulation 72(7)(b)	£6,645	£6,858
Regulation 72(7)(c)	£5,399	£5,572
Regulation 72(7)(d)	£4,823	£4,977
Regulation 72(8)(i)	£4,034	£4,163
Regulation 72(8)(ii)	£7,299	£7,533
Regulation 72(8)(iii)	£6,210	£6,409
Regulation 72(8)(iv)	£5,213	£5,380
Regulation 72(9)(i)	£3,645	£3,762
Regulation 72(9)(ii)	£6,645	£6,858
Regulation 72(9)(iii)	£5,399	£5,572
Regulation 72(9)(iv)	£4,823	£4,977
<i>Regulation 74(48)</i>		
Regulation 74(2)(i)	£4,217	£4,352
Regulation 74(2)(ii)	£7,611	£7,855
Regulation 74(2)(iii)	£6,475	£6,682
Regulation 74(2)(iv)	£5,440	£5,614
Regulation 74(2)	£4.56	£4.42
Regulation 74(3)(i)	£3,826	£3,948
Regulation 74(3)(ii)	£6,930	£7,152
Regulation 74(3)(iii)	£5,630	£5,810
Regulation 74(3)(iv)	£5,034	£5,195
Regulation 74(3)	£4.56	£4.42
Regulation 74(6)(a)	£4,217	£4,352

(48) The figures in the second column relating to regulation 74, where they appear in the provisions of that regulation set out in the first column, were substituted by [S.I. 2017/114](#).

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<i>Provision in the Education (Student Support) Regulations 2011</i>	<i>Existing figure</i>	<i>New figure</i>
Regulation 74(6)(b)	£7,611	£7,855
Regulation 74(6)(c)	£6,475	£6,682
Regulation 74(6)(d)	£5,440	£5,614
Regulation 74(7)(a)	£3,826	£3,948
Regulation 74(7)(b)	£6,930	£7,152
Regulation 74(7)(c)	£5,630	£5,810
Regulation 74(7)(d)	£5,034	£5,195
Regulation 74(8)(i)	£4,217	£4,352
Regulation 74(8)(ii)	£7,611	£7,855
Regulation 74(8)(iii)	£6,475	£6,682
Regulation 74(8)(iv)	£5,440	£5,614
Regulation 74(9)(i)	£3,826	£3,948
Regulation 74(9)(ii)	£6,930	£7,152
Regulation 74(9)(iii)	£5,630	£5,810
Regulation 74(9)(iv)	£5,034	£5,195
<i>Regulation 76(49)</i>		
Regulation 76(2)(i)	£4,806	£4,960
Regulation 76(2)(ii)	£8,432	£8,702
Regulation 76(2)(iii)	£7,180	£7,410
Regulation 76(2)(iv)	£6,043	£6,236
Regulation 76(2)	£9.12	£8.84
Regulation 76(3)(i)	£4,416	£4,557
Regulation 76(3)(ii)	£7,679	£7,925
Regulation 76(3)(iii)	£6,240	£6,440
Regulation 76(3)(iv)	£5,620	£5,800
Regulation 76(3)	£9.12	£8.84
Regulation 76(6)	£42,641	£42,645
Regulation 76(6)(a)	£4,806	£4,960
Regulation 76(6)(b)	£8,432	£8,702
Regulation 76(6)(c)	£7,180	£7,410

(49) The figures in the second column relating to regulation 76, where they appear in the provisions of that regulation set out in the first column, were substituted by [S.I. 2017/114](#).

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<i>Provision in the Education (Student Support) Regulations 2011</i>	<i>Existing figure</i>	<i>New figure</i>
Regulation 76(6)(d)	£6,043	£6,236
Regulation 76(7)	£42,641	£42,645
Regulation 76(7)(a)	£4,416	£4,557
Regulation 76(7)(b)	£7,679	£7,925
Regulation 76(7)(c)	£6,240	£6,440
Regulation 76(7)(d)	£5,620	£5,800
Regulation 76(8)	£42,641	£42,645
Regulation 76(8)(i)	£4,806	£4,960
Regulation 76(8)(ii)	£8,432	£8,702
Regulation 76(8)(iii)	£7,180	£7,410
Regulation 76(8)(iv)	£6,043	£6,236
Regulation 76(9)	£42,641	£42,645
Regulation 76(9)(i)	£4,416	£4,557
Regulation 76(9)(ii)	£7,679	£7,925
Regulation 76(9)(iii)	£6,240	£6,440
Regulation 76(9)(iv)	£5,620	£5,800
<i>Regulation 77(50)</i>		
Regulation 77(2)(i)	£4,034	£4,163
Regulation 77(2)(ii)	£7,299	£7,533
Regulation 77(2)(iii)	£6,210	£6,409
Regulation 77(2)(iv)	£5,213	£5,380
Regulation 77(3)(i)	£3,645	£3,762
Regulation 77(3)(ii)	£6,645	£6,858
Regulation 77(3)(iii)	£5,399	£5,572
Regulation 77(3)(iv)	£4,823	£4,977
<i>Regulation 80(51)</i>		
Regulation 80(1)(b)(i)	£1,915	£1,976
Regulation 80(1)(b)(ii)	£3,585	£3,700
Regulation 80(1)(b)(iv)	£2,553	£2,635

(50) Regulation 77 was substituted by [S.I. 2016/584](#). The figures in the second column relating to regulation 77, where they appear in the provisions of that regulation set out in the first column, were substituted by [S.I. 2017/114](#).

(51) Regulation 80(1) and (2) was amended by [S.I. 2015/1951](#). The figures in the second column relating to regulation 80, where they appear in the provisions of that regulation set out in the first column, were substituted by [S.I. 2017/114](#).

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<i>Provision in the Education (Student Support) Regulations 2011</i>	<i>Existing figure</i>	<i>New figure</i>
Regulation 80(1)(c)(i)	£3,026	£3,122
Regulation 80(1)(c)(ii)	£5,474	£5,650
Regulation 80(1)(c)(iii)	£4,658	£4,807
Regulation 80(1)(c)(iv)	£3,910	£4,035
Regulation 80(1)(d)(i)	£3,036	£3,133
Regulation 80(1)(d)(ii)	£5,480	£5,656
Regulation 80(1)(d)(iii)	£4,662	£4,811
Regulation 80(1)(d)(iv)	£3,917	£4,042
Regulation 80(1)(e)(i)	£3,124	£3,224
Regulation 80(1)(e)(ii)	£5,481	£5,656
Regulation 80(1)(e)(iii)	£4,667	£4,817
Regulation 80(1)(e)(iv)	£3,930	£4,056
Regulation 80(1)(f)(i)	£3,124	£3,224
Regulation 80(1)(f)(ii)	£5,479	£5,654
Regulation 80(1)(f)(iii)	£4,667	£4,816
Regulation 80(1)(f)(iv)	£3,928	£4,054
Regulation 80(2)(b)(i)	£1,454	£1,501
Regulation 80(2)(b)(ii)	£2,743	£2,831
Regulation 80(2)(b)(iv)	£1,990	£2,054
Regulation 80(2)(c)(i)	£2,734	£2,822
Regulation 80(2)(c)(ii)	£4,984	£5,144
Regulation 80(2)(c)(iii)	£4,049	£4,179
Regulation 80(2)(c)(iv)	£3,617	£3,733
Regulation 80(2)(d)(i)	£2,755	£2,843
Regulation 80(2)(d)(ii)	£4,990	£5,149
Regulation 80(2)(d)(iii)	£4,054	£4,183
Regulation 80(2)(d)(iv)	£3,624	£3,740
Regulation 80(2)(e)(i)	£2,870	£2,962
Regulation 80(2)(e)(ii)	£4,991	£5,151
Regulation 80(2)(e)(iii)	£4,056	£4,186
Regulation 80(2)(e)(iv)	£3,653	£3,770
Regulation 80(2)(f)(i)	£2,870	£2,962

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<i>Provision in the Education (Student Support) Regulations 2011</i>	<i>Existing figure</i>	<i>New figure</i>
Regulation 80(2)(f)(ii)	£4,991	£5,151
Regulation 80(2)(f)(iii)	£4,055	£4,185
Regulation 80(2)(f)(iv)	£3,652	£3,769
<i>Regulation 80A(52)</i>		
Regulation 80A(2)(i)	£7,097	£7,324
Regulation 80A(2)(ii)	£11,002	£11,354
Regulation 80A(2)(iii)	£9,654	£9,963
Regulation 80A(2)(iv)	£8,430	£8,700
Regulation 80A(2)(i)	£8.36	£8.10
Regulation 80A(2)(ii)	£8.12	£7.87
Regulation 80A(2)(iii)	£8.18	£7.93
Regulation 80A(2)(iv)	£8.26	£8.01
Regulation 80A(3)(i)	£6,678	£6,892
Regulation 80A(3)(ii)	£10,192	£10,518
Regulation 80A(3)(iii)	£8,641	£8,918
Regulation 80A(3)(iv)	£7,973	£8,228
Regulation 80A(3)(i)	£8.36	£8.10
Regulation 80A(3)(ii)	£8.12	£7.87
Regulation 80A(3)(iii)	£8.18	£7.93
Regulation 80A(3)(iv)	£8.26	£8.01
<i>Regulation 80B(53)</i>		
Regulation 80B(2)(i)	£8,372	£8,640
Regulation 80B(2)(ii)	£11,998	£12,382
Regulation 80B(2)(iii)	£10,746	£11,090
Regulation 80B(2)(iv)	£9,609	£9,916
Regulation 80B(2)(i)	£5.237	£5.075
Regulation 80B(2)(ii)	£5.59	£5.418
Regulation 80B(2)(iii)	£5.454	£5.286
Regulation 80B(2)(iv)	£5.346	£5.185

(52) Regulation 80A was inserted by [S.I. 2015/1951](#). The figures in the second column relating to regulation 80A, where they appear in the provisions of that regulation set out in the first column, were substituted by [S.I. 2017/114](#).

(53) Regulation 80B was inserted by [S.I. 2015/1951](#). The figures in the second column relating to regulation 80B, where they appear in the provisions of that regulation set out in the first column, were substituted by [S.I. 2017/114](#).

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<i>Provision in the Education (Student Support) Regulations 2011</i>	<i>Existing figure</i>	<i>New figure</i>
Regulation 80B(2)(i)	£8.36	£8.10
Regulation 80B(2)(ii)	£8.12	£7.87
Regulation 80B(2)(iii)	£8.18	£7.93
Regulation 80B(2)(iv)	£8.26	£8.01
Regulation 80B(3)(a)	£4,806	£4,960
Regulation 80B(3)(b)	£8,432	£8,702
Regulation 80B(3)(c)	£7,180	£7,410
Regulation 80B(3)(d)	£6,043	£6,236
Regulation 80B(4)(i)	£7,982	£8,237
Regulation 80B(4)(ii)	£11,244	£11,604
Regulation 80B(4)(iii)	£9,805	£10,119
Regulation 80B(4)(iv)	£9,185	£9,479
Regulation 80B(4)(i)	£5.193	£5.033
Regulation 80B(4)(ii)	£5.494	£5.324
Regulation 80B(4)(iii)	£5.337	£5.173
Regulation 80B(4)(iv)	£5.294	£5.133
Regulation 80B(4)(i)	£8.36	£8.10
Regulation 80B(4)(ii)	£8.12	£7.87
Regulation 80B(4)(iii)	£8.18	£7.93
Regulation 80B(4)(iv)	£8.26	£8.01
Regulation 80B(5)(a)	£4,416	£4,557
Regulation 80B(5)(b)	£7,678	£7,924
Regulation 80B(5)(c)	£6,239	£6,439
Regulation 80B(5)(d)	£5,619	£5,799
<i>Regulation 80C(54)</i>		
Regulation 80C(2)	£3,566	£3,680
Regulation 80C(2)	£5.31	£5.15
<i>Regulation 81(55)</i>		
Regulation 81(5)(a)	£59	£61

(54) Regulation 80C was inserted by [S.I. 2015/1951](#). The figures in the second column relating to regulation 80C, where they appear in the provisions of that regulation set out in the first column, were substituted by [S.I. 2017/114](#).

(55) The figures in the second column relating to regulation 81, where they appear in the provisions of that regulation set out in the first column, were substituted by [S.I. 2017/114](#).

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<i>Provision in the Education (Student Support) Regulations 2011</i>	<i>Existing figure</i>	<i>New figure</i>
Regulation 81(5)(b)	£116	£120
Regulation 81(5)(c)	£125	£129
Regulation 81(5)(d)	£90	£93
<i>Regulation 87(56)</i>		
Regulation 87(4)(a)	£59	£61
Regulation 87(4)(b)	£116	£120
Regulation 87(4)(c)	£125	£129
Regulation 87(4)(d)	£90	£93
<i>Regulation 105(57)</i>		
Regulation 105(1)(a)	£3,026	£3,122
Regulation 105(1)(b)	£5,474	£5,650
Regulation 105(1)(c)	£4,658	£4,807
Regulation 105(1)(d)	£3,910	£4,035
Regulation 105(2)(a)	£2,734	£2,822
Regulation 105(2)(b)	£4,984	£5,144
Regulation 105(2)(c)	£4,049	£4,179
Regulation 105(2)(d)	£3,617	£3,733
Regulation 105(3)(a)	£3,036	£3,133
Regulation 105(3)(b)	£5,480	£5,656
Regulation 105(3)(c)	£4,662	£4,811
Regulation 105(3)(d)	£3,917	£4,042
Regulation 105(4)(a)	£2,755	£2,843
Regulation 105(4)(b)	£4,990	£5,149
Regulation 105(4)(c)	£4,054	£4,183
Regulation 105(4)(d)	£3,624	£3,740
Regulation 105(5)(a)	£3,124	£3,224
Regulation 105(5)(b)	£5,481	£5,656
Regulation 105(5)(c)	£4,667	£4,817
Regulation 105(5)(d)	£3,930	£4,056

(56) The figures in the second column relating to regulation 87, where they appear in the provisions of that regulation set out in the first column, were substituted by [S.I. 2017/114](#).

(57) [S.I. 2015/1951](#) amended regulation 105(1) to (4) and inserted paragraphs (6A) to (6D) in that regulation. The figures in the second column relating to regulation 105, where they appear in the provisions of that regulation set out in the first column, were substituted by [S.I. 2017/114](#).

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<i>Provision in the Education (Student Support) Regulations 2011</i>	<i>Existing figure</i>	<i>New figure</i>
Regulation 105(6)(a)	£2,870	£2,962
Regulation 105(6)(b)	£4,991	£5,151
Regulation 105(6)(c)	£4,056	£4,186
Regulation 105(6)(d)	£3,653	£3,770
Regulation 105(6A)(a)	£3,124	£3,224
Regulation 105(6A)(b)	£5,479	£5,654
Regulation 105(6A)(c)	£4,667	£4,816
Regulation 105(6A)(d)	£3,928	£4,054
Regulation 105(6B)(a)	£2,870	£2,962
Regulation 105(6B)(b)	£4,991	£5,151
Regulation 105(6B)(c)	£4,055	£4,185
Regulation 105(6B)(d)	£3,652	£3,769
Regulation 105(6C)(a)	£3,124	£3,224
Regulation 105(6C)(b)	£5,479	£5,654
Regulation 105(6C)(c)	£4,667	£4,816
Regulation 105(6C)(d)	£3,928	£4,054
Regulation 105(6D)(a)	£2,870	£2,962
Regulation 105(6D)(b)	£4,991	£5,151
Regulation 105(6D)(c)	£4,055	£4,185
Regulation 105(6D)(d)	£3,652	£3,769
<i>Regulation 141(58)</i>		
Regulation 141(1)(b)	£288	£297
<i>Regulation 142(59)</i>		
Regulation 142(2)(a)	£879	£907
Regulation 142(2)(b)	£1,054	£1,088
Regulation 142(2)(c)	£1,321	£1,363
Regulation 142(3)(g)	£8.55	£8.24
Regulation 142(4)(a)	£11.01	£10.62
Regulation 142(4)(a)	£8.99	£8.68
Regulation 142(4)(a)	£7.02	£6.79

(58) The figure of “£288” in regulation 141(1)(b) was substituted by [S.I. 2017/114](#).

(59) The figures in the second column relating to regulation 142, where they appear in the provisions of that regulation set out in the first column, were substituted by [S.I. 2017/114](#).

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<i>Provision in the Education (Student Support) Regulations 2011</i>	<i>Existing figure</i>	<i>New figure</i>
<i>Regulation 147(60)</i>		
Regulation 147(6)(a)	£15,978	£16,489
Regulation 147(6)(b)	£5,358	£5,529
Regulation 147(6)(d)	£1,342	£1,385
<i>Regulation 166(61)</i>		
Regulation 166(2)	£10,652	£10,993
<i>Schedule 4(62)</i>		
Paragraph 9A(2)(a)(i)	£8.36	£8.10
Paragraph 9A(2)(a)(i)	£2,138	£2,206
Paragraph 9A(2)(a)(ii)	£8.12	£7.87
Paragraph 9A(2)(a)(ii)	£2,201	£2,271
Paragraph 9A(2)(a)(iii)	£8.18	£7.93
Paragraph 9A(2)(a)(iii)	£2,185	£2,254
Paragraph 9A(2)(a)(iv)	£8.26	£8.01
Paragraph 9A(2)(a)(iv)	£2,164	£2,231
Paragraph 9A(3)(a)(i)	£8.36	£8.10
Paragraph 9A(3)(a)(ii)	£8.12	£7.87
Paragraph 9A(3)(a)(iii)	£8.18	£7.93
Paragraph 9A(3)(a)(iv)	£8.26	£8.01

SCHEDULE 2

Regulation 8

Institutions to whom regulations 23(4A) and 145(2)(c) of the Education (Student Support) Regulations 2011 apply

“SCHEDULE 5

Regulations 23 and 145

Institutions to whom regulations 23(4A) and 145(2)(c) of the Education (Student Support) Regulations 2011 apply

The institutions to whom regulations 23(4A) and 145(2)(c)(63) of the Education (Student Support) Regulations 2011 apply are—

(60) The figures in the second column relating to regulation 147, where they appear in the provisions of that regulation set out in the first column, were substituted by [S.I. 2017/114](#).

(61) The figure of “£10,652” in regulation 166(2) was substituted by [S.I. 2017/114](#).

(62) Paragraph 9A of Schedule 4 was inserted by [S.I. 2015/1951](#). The figures in the second column relating to Schedule 4, where they appear in the provisions of that Schedule set out in the first column, were inserted by [S.I. 2017/114](#).

(63) Regulation 145(2)(c) was inserted by [S.I. 2017/114](#).

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EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Education (Student Support) Regulations 2011 ([S.I. 2011/1986](#)) (“the Student Support Regulations”), the Education (Postgraduate Master's Degree Loans) Regulations 2016 ([S.I. 2016/606](#)) (“the Postgraduate Regulations”), the Student Fees (Qualifying Courses and Persons) (England) Regulations 2007 ([S.I. 2007/778](#)) (“the Qualifying Courses Regulations”), the Education (Fees and Awards) (England) Regulations 2007 ([S.I. 2007/779](#)) (“the Fees and Awards Regulations”) and the Education (Student Support) (European University Institute) Regulations 2010 ([S.I. 2010/447](#)) (“the European University Institute Regulations”).

The principal amendments which these Regulations make to the Student Support Regulations are as follows.

Paragraphs (1) and (2) of regulation 3 amend regulations 13 and 40 of the Student Support Regulations respectively so that a person in the armed forces or a family member of such a person may still qualify for a fee loan and the disabled students' allowance if they are undertaking a full-time distance learning course on the first day of the first academic year of the course outside England but within the United Kingdom. Regulation 3(3) makes a similar amendment to regulation 144 of the Student Support Regulations in respect of fee loans for part-time distance learning courses.

Regulation 4(1) amends regulation 19 of the Student Support Regulations to allow the Secretary of State the discretion to determine that, in exceptional circumstances, students who fall within regulation 19(3A) and (9A) qualify for a fee loan in respect of any academic years of the current

full-time course, irrespective of whether the student has already completed those academic years. Paragraphs (2), (3) and (4) of regulation 4 make similar amendments to regulations 69, 141 and 144 of the Student Support Regulations in respect of loans for living costs for full-time courses, grants for part-time courses beginning before 1st September 2012 and fee loans for part-time courses beginning on or after 1st September 2012, respectively.

Regulation 5 of, and Schedule 1 to, these Regulations update the amount of loan and grant in relation to an academic year which begins on or after 1st August 2018.

Part 10 of the Student Support Regulations deals with the provision of support to students undertaking designated distance learning courses. Regulation 6 of these Regulations revokes Part 10 and makes amendments consequential upon that revocation.

The amendments made to the Student Support Regulations by regulation 7 create a new category of eligible student: persons granted stateless leave and family members of such persons.

Regulation 8 substitutes Schedule 5 to the Student Support Regulations to update the list of private and non-regulated institutions that have a Teaching Excellence and Student Outcomes Framework award for an academic year which begins on or after 1st August 2018.

Regulation 9 amends regulation 2(1) of the Student Support Regulations to remove an obsolete reference in the definition of “end-on course”.

These Regulations make the following amendments to the Postgraduate Regulations.

Regulation 11 amends the description of an eligible student in regulation 3 of the Postgraduate Regulations to ensure that a person in the armed forces or a family member of such a person may still qualify for support under the Postgraduate Regulations if they are undertaking a distance learning course outside England on the first day of the first academic year of the course but within the United Kingdom.

Regulation 12 amends regulation 12 of the Postgraduate Regulations to increase the amount of the postgraduate master’s degree loan.

Regulation 13 makes amendments to regulation 3 of the Postgraduate Regulations which are consequential upon the revocation of Part 10 of the Student Support Regulations.

Regulation 14 creates a new category of eligible student for the purposes of the Postgraduate Regulations: persons granted stateless leave and family members of such persons.

Regulation 15 amends Schedule 1 to the Postgraduate Regulations so that persons granted humanitarian protection and their families must be ordinarily resident in England on the first day of the first academic year of their course in order to qualify for support under the Regulations.

These Regulations make the following amendments to other sets of Regulations.

Regulation 16 of these Regulations amends the Schedule to the Qualifying Courses Regulations to ensure that persons granted stateless leave and family members of such persons may be qualifying persons under those Regulations.

The Fees and Awards Regulations provide that, in certain circumstances, it is lawful to discriminate between some or all of the persons mentioned in Schedule 1 to those Regulations and any other person. Regulation 17 of these Regulations inserts a new category of person into Schedule 1 to the Fees and Awards Regulations: persons granted stateless leave and family members of such persons.

Regulation 18 of these Regulations amends Schedule 1 to the European University Institute Regulations to ensure that persons granted stateless leave and family members of such persons may be eligible students under those Regulations.

An impact assessment has not been produced for this instrument as it has no impact on the costs of business, charities or the voluntary sector.

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