
EXPLANATORY NOTE

(This note is not part of the Regulations)

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

These Regulations come into force on 16th February 2023. But, subject to the savings in Part 5, some of the amendments made by these Regulations apply only in relation to a course which begins on or after 1st August 2023 (a “new course”), an academic year beginning on or after 1st August 2023 (a “new academic year”) or a new academic year of a course which begins on or after 1st August 2022 and before 1st August 2023 (an “existing course”). In particular:

- (a) the amendments made by the provisions specified in regulation 2(5) apply in relation to new academic years only;
- (b) the amendments made by the provisions specified in regulation 2(7) apply in relation to new courses and new academic years of existing courses;
- (c) the amendments made by provisions specified in regulation 2(8) apply in relation to new courses only.

Part 2 of these Regulations amends the Education (Student Support) Regulations 2011 (S.I. 2011/1986) (“the SSR 2011”) to:

- (a) update the rules determining the amount of support that a student is entitled to if they become eligible for support during the course of an academic year;
- (b) change the eligibility requirements for students who are in certain protection based categories (such as refugees and their family members, persons granted stateless leave and persons with Calais leave), so that they may qualify for support if they are ordinarily resident in England on the day on which the first term of the first academic year of their course actually begins;
- (c) update the categories of students who may be eligible for support to include certain family members of persons who are granted leave to enter or remain in the United Kingdom under an Afghan or Ukraine related immigration scheme;
- (d) to change the payment rates for the academic year beginning on 1st August 2023;
- (e) to allow certain new initial teacher training courses for further education teachers, and also courses leading to higher technical qualifications approved by the Institute for Apprenticeships and Technical Education, to attract student finance;
- (f) to correct a number of minor errors made in earlier amendments to the SSR 2011;
- (g) to make minor drafting and consequential amendments to the SSR 2011.

Part 3 of these Regulations makes corresponding amendments to other student finance legislation.

Part 4 of these Regulations:

- (a) amends the Education (Postgraduate Master’s Degree Loans) Regulations 2016 and the Education (Postgraduate Doctoral Degree Loans and the Education (Student Loans) (Repayment) (Amendment) (No. 2) etc.) Regulations 2018 to set out the circumstances in which students cease to be eligible students (for the purposes of student finance under those Regulations);

Changes to legislation: There are currently no known outstanding effects for the The Education (Student Fees, Awards and Support) (Amendment) Regulations 2023. (See end of Document for details)

- (b) makes minor amendments to the Education (Student Support) (European University Institute) Regulations 2010;
- (c) makes minor amendments to the Higher Education Short Course Loans Regulations 2022. The amendments include the correction of an error made in the Education (Student Fees, Awards and Support) (Amendment) (No. 2) Regulation 2022. This error was identified by the Joint Committee on Statutory Instruments in their Sixth Report of Session 2022/23.

An impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is anticipated.

Changes to legislation:

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