
SCOTTISH STATUTORY INSTRUMENTS

2020 No. 213

The Education (Fees and Student Support) (Miscellaneous Amendments) (Scotland) Regulations 2020

Amendment of the Education (Fees) (Scotland) Regulations 2011

8.—(1) The Education (Fees) (Scotland) Regulations 2011⁽¹⁾ are amended in accordance with paragraphs (2) and (3).

(2) In regulation 2 (interpretation)—

(a) in paragraph (3), for “6D(a)(iii) and (b), 6E(1)(c)” substitute “6D(1)(c), 6E(c), 6F(c)”,

(b) in paragraph (4), for “6D(a)(iii) and (b), 6E(1)(c)” substitute “6D(1)(c), 6E(c), 6F(c)”.

(3) In schedule 1 (fees-excepted students), after paragraph 6D insert—

“**6E.** A post 2011/12 student is an excepted student if that post 2011/12 student—

(a) has been 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 289B (victims of domestic violence),

(ii) paragraph D-DVILR.1.1. of Appendix FM (victims of domestic abuse), or

(iii) paragraph 40 of Appendix Armed Forces (victims of domestic violence: partners of members of the armed forces),

(b) has been ordinarily resident in the United Kingdom and Islands since that person was first granted such leave, and

(c) is ordinarily resident in Scotland on the relevant date.

6F. A post 2011/12 student is an excepted student if that post 2011/12 student—

(a) has extant leave to remain in the United Kingdom under paragraph 352J, 352K, 352L or 352T (Calais leave and “leave in line” granted by virtue of being a dependent child of a person granted Calais leave) of the immigration rules, as defined in section 33(1) of the Immigration Act 1971,

(b) has been ordinarily resident in the United Kingdom and Islands since that person was first granted such leave, and

(c) is ordinarily resident in Scotland on the relevant date.”.