

Changes to legislation: The Education (Fees) (Scotland) Regulations 2022 is up to date with all changes known to be in force on or before 02 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations consolidate the Education (Fees) (Scotland) Regulations 2011 ([S.S.I. 2011/389](#)) (“the Fees Regulations”) and provide that it is lawful to charge certain students fees at a higher level than other students.

In addition to minor and drafting alterations, these Regulations revoke and replace the Fees Regulations and make amendments to insert new categories of excepted students. These include Afghan citizens who have been granted leave under the Afghan Resettlement Scheme or under the Afghan Relocation and Assistance Policy Scheme (paragraph 12 of schedule 1) and those who have applied to the Ukraine Family Scheme, Ukraine Sponsorship Scheme, the Ukraine Extension Scheme or for leave outside the immigrations rules and have either been granted leave or have an outstanding application to that scheme (paragraph 13 of schedule 1.)

Schedule 1 makes provision for categories of excepted students. It is not lawful to charge higher relevant fees in the case of students listed in this schedule. Schedule 2 determines whether a person is to be treated as being, or having been, ordinarily resident in a place at, or for, a particular time.

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Changes and effects yet to be applied to :

- Sch. 1 para. 7 substituted by [S.S.I. 2024/140 reg. 2\(3\)](#)
- Sch. 1 para. 13 substituted by [S.S.I. 2024/140 reg. 2\(10\)](#)
- Sch. 1 para. 16(a)(i)(ii) substituted for Sch. 1 para. 16(a)(i)-(iii) by [S.S.I. 2024/140 reg. 2\(13\)\(b\)](#)
- Sch. 1 para. 8(a)(iii) word omitted by [S.S.I. 2024/140 reg. 2\(4\)](#)
- Sch. 1 para. 9(a)(ii) words omitted by [S.S.I. 2024/140 reg. 2\(5\)](#)
- Sch. 1 para. 10(a)(ii) words omitted by [S.S.I. 2024/140 reg. 2\(6\)](#)
- Sch. 1 para. 11(a)(ii) words omitted by [S.S.I. 2024/140 reg. 2\(7\)](#)
- Sch. 1 para. 12(a)(ii) words omitted by [S.S.I. 2024/140 reg. 2\(8\)](#)
- Sch. 1 para. 14(a)(ii) words omitted by [S.S.I. 2024/140 reg. 2\(11\)](#)
- Sch. 1 para. 15(1)(b) words omitted by [S.S.I. 2024/140 reg. 2\(12\)](#)
- Sch. 1 para. 16 and heading words substituted by [S.S.I. 2024/140 reg. 2\(13\)\(a\)](#)
- Sch. 2 para. 1 heading substituted by [S.S.I. 2024/140 reg. 2\(15\)\(c\)](#)
- Sch. 2 para. 2 substituted by [S.S.I. 2024/140 reg. 2\(16\)](#)
- Sch. 2 para. 1(1) words inserted by [S.S.I. 2024/140 reg. 2\(15\)\(a\)](#)
- Sch. 2 para. 1(2) words inserted by [S.S.I. 2024/140 reg. 2\(15\)\(b\)](#)
- reg. 2(1) words inserted by [S.S.I. 2024/140 reg. 2\(2\)](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 1 para. 12B inserted by [S.S.I. 2024/140 reg. 2\(9\)](#)
- Sch. 1 para. 16A inserted by [S.S.I. 2024/140 reg. 2\(14\)](#)