

**Changes to legislation:** *The Education (Fees) (Scotland) Regulations 2022, Paragraph 13 is up to date with all changes known to be in force on or before 05 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*

## SCHEDULE 1

### Fees - Excepted Students

#### Ukrainian nationals

- 13.—**(1) A student is an excepted student if that student—
- (a) has—
    - (i) made a relevant application where that application is still being considered, or
    - (ii) been granted leave to enter or remain in the United Kingdom following a relevant application, and
  - [<sup>F1</sup>(b) has been ordinarily resident in the United Kingdom since their arrival in the United Kingdom after leaving Ukraine, and
  - (c) is ordinarily resident in Scotland on the relevant date.]
- (2) In this paragraph, a ‘relevant application’ is an application to—
- (a) the Ukraine Family Scheme(1),
  - (b) the Ukraine Sponsorship Scheme(2),
  - (c) the Ukraine Extension Scheme(3), or
  - (d) the Home Office for leave outside the immigration rules, as defined in section 33(1) of the Immigration Act 1971(4), where that person—
    - (i) was residing in the Ukraine immediately before 1 January 2022, and
    - (ii) left Ukraine in connection with the Russian invasion which took place on 24 February 2022

by an individual who is eligible to apply to that scheme.

#### Textual Amendments

- F1** Sch. 1 para. 13(1)(b)(c) substituted for sch. 1 para. 13(1)(b) (1.8.2023) by [The Education \(Fees and Student Support\) \(Miscellaneous Amendment\) \(Scotland\) Regulations 2022 \(S.S.I. 2022/362\)](#), regs. 1, 2(7)

#### Commencement Information

- I1** Sch. 1 para. 13 in force at 1.8.2022, see [reg. 1\(1\)](#)

- (1) A scheme operated by the Home Office enabling a Ukrainian national, or the immediate family member of a Ukrainian national resident in Ukraine prior to 1 January 2022, to join family members or to extend their stay in the United Kingdom. The current Home Office guidance in relation to the Ukraine Family Scheme is available here: <https://www.gov.uk/guidance/apply-for-a-visa-under-the-ukraine-sponsorship-scheme?msclid=d2811a9ac7a511ec885bf3a88e71ccca>.
- (2) A scheme operated by the Home Office enabling the sponsorship of Ukrainian nationals, or the immediate family member of a Ukrainian national resident in Ukraine prior to 1 January 2022 to come to the United Kingdom. The current Home Office guidance in relation to the Ukraine Sponsorship Scheme (Homes for Ukraine Scheme) is available here: <https://www.gov.uk/guidance/apply-for-a-visa-under-the-ukraine-sponsorship-scheme?msclid=ecaf79fac7a511ecbf7adee0a78bac5b>.
- (3) A scheme opening on 3 May 2022 and operated by the Home Office enabling a Ukrainian national who is in the United Kingdom and had permission to stay in the United Kingdom on or before 18 March 2022 to stay in the United Kingdom. The scheme enables the partner or children of the Ukrainian national to apply to stay in the United Kingdom provided they are already in the United Kingdom as the Ukrainian national’s ‘dependants’. The current Home Office guidance in relation to the Ukraine Extension Scheme is available here: <https://www.gov.uk/guidance/support-for-family-members-of-british-nationals-in-ukraine-and-ukrainian-nationals-in-ukraine-and-the-uk?msclid=08bb96fec7a611ecb081f266e6480fd0>.
- (4) 1971 c. 77.

**Changes to legislation:** *The Education (Fees) (Scotland) Regulations 2022, Paragraph 13 is up to date with all changes known to be in force on or before 05 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](#)*

**Changes to legislation:**

The Education (Fees) (Scotland) Regulations 2022, Paragraph 13 is up to date with all changes known to be in force on or before 05 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.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- Sch. 1 para. 13 substituted by [S.S.I. 2024/140 reg. 2\(10\)](#)

**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\(14\)](#)