

SCHEDULE 1

Fees - Excepted Students

Workers, employed persons, self-employed persons and their family members

4.—(1) A student is an excepted student if that student is a person with protected rights or a qualifying frontier worker who —

- (a) is—
 - (i) an EEA migrant worker or an EEA self-employed person,
 - (ii) a Swiss employed person or a Swiss self-employed person,
 - (iii) a family member of a person mentioned in sub-head (i) or (ii),
 - (iv) an EEA frontier worker or an EEA frontier self-employed person,
 - (v) a Swiss frontier employed person or a Swiss frontier self-employed person, or
 - (vi) a family member of a person mentioned in sub-head (iv) or (v),
- (b) has been ordinarily resident in the United Kingdom, Gibraltar or the territory comprising the European Economic Area and Switzerland throughout the period of 3 years immediately preceding the relevant date.

(2) In sub-paragraph (1), a “qualifying frontier worker” means a frontier worker within the meaning of regulation 3 (meaning of frontier worker) of the Citizens’ Rights (Frontier Workers) (EU Exit) Regulations 2020⁽¹⁾ who has a right of admission to the United Kingdom under regulation 6 (right of admission) of those Regulations.

(3) In this paragraph, any description of a person in sub-paragraphs (1)(a)(i) and (iv) is to be read as if a relevant person of Northern Ireland were included in the definition of “EEA national” in regulation 2, and sub-paragraphs (1)(a)(iii) and (vi) are to be construed accordingly.

Commencement Information

II Sch. 1 para. 4 in force at 1.8.2022, see **reg. 1(1)**

⁽¹⁾ 2020 No. 1213.

Changes to legislation:

The Education (Fees) (Scotland) Regulations 2022, Paragraph 4 is up to date with all changes known to be in force on or before 31 May 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 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\(14\)](#)