

SCHEDULE 1

[^{F1}United Kingdom nationals

9B.—(1) A person—

- (a) who is—
 - (i) a United Kingdom national on the first day of an academic year of the course; or
 - (ii) a family member of a person mentioned in sub-paragraph (i);
- (b) who was ordinarily resident immediately before IP completion day—
 - (i) in the territory comprising the European Economic Area, Switzerland and the EU overseas territories; or
 - (ii) in the United Kingdom, where that ordinary residence began after 31st December 2017 immediately following a period of ordinary residence in the territory comprising the European Economic Area, Switzerland and the EU overseas territories,
and has remained ordinarily resident in the territory comprising the United Kingdom, the European Economic Area, Switzerland and the EU overseas territories throughout the period beginning on IP completion day and ending immediately before the first day of the first academic year of the course;
- (c) who is undertaking the course in the United Kingdom;
- (d) who, subject to sub-paragraph (2), has been ordinarily resident in the territory comprising the United Kingdom, the European Economic Area, Switzerland and the overseas territories throughout the three-year period preceding the first day of the first academic year of the course; and
- (e) subject to sub-paragraph (3), whose ordinary residence in the territory comprising the United Kingdom, the European Economic Area, Switzerland and the overseas territories has not during any part of the period referred to in paragraph (d) been wholly or mainly for the purpose of receiving full-time education.

(2) Paragraph (d) of sub-paragraph (1) does not apply to the family member of a United Kingdom national, where that United Kingdom national—

- (a) had, before IP completion day, exercised a right to reside in the territory of a Member State under Article 7(1) of Directive 2004/38; and
- (b) has been ordinarily resident in the territory comprising the United Kingdom, the European Economic Area, Switzerland and the overseas territories throughout the three-year period preceding the first day of the first academic year of the course.

(3) Paragraph (e) of sub-paragraph (1) does not apply to a person who is treated as being ordinarily resident in the territory comprising the United Kingdom, the European Economic Area, Switzerland and the overseas territories in accordance with regulation 2(4).

(4) Where a person (“P”) falls within sub-paragraph (1)(a)(ii), the person in relation to whom P is a family member must also meet the requirements of sub-paragraph (1)(b) and (d).

(5) In this paragraph, “EU overseas territories” means Aruba; Faroe Islands; French Polynesia; French Southern and Antarctic Territories; Mayotte; Greenland; Netherlands Antilles (Bonaire, Curaçao, Saba, Sint Eustatius, Sint Maarten); St Barthélemy; St Pierre et Miquelon; the Territory of New Caledonia and Dependencies; and Wallis and Futuna.]

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Education (Fees and Awards) (England) Regulations 2007. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Textual Amendments

F1 Sch. 1 paras. 9A-9E inserted (1.3.2021) by [The Education \(Student Fees, Awards and Support\) \(Amendment\) Regulations 2021 \(S.I. 2021/127\)](#), regs. 1(1), **35(10)**

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Education (Fees and Awards) (England) Regulations 2007. Any changes that have already been made by the team 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. para. 11(1)(a)-(d) Sch. para. 11(a)-(d) renumbered as Sch. para. 11(1)(a)-(d) by [S.I. 2019/139 reg. 13\(7\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Amending Regulations revoked immediately before IP completion day by S.I. 2020/1181, regs. 1(2). 2)
- Sch. para. 9(3) inserted by [S.I. 2019/139 reg. 13\(5\)\(d\)](#) (This amendment not applied to legislation.gov.uk. Amending Regulations revoked immediately before IP completion day by S.I. 2020/1181, regs. 1(2). 2)
- Sch. para. 11(2) inserted by [S.I. 2019/139 reg. 13\(7\)\(d\)](#) (This amendment not applied to legislation.gov.uk. Amending Regulations revoked immediately before IP completion day by S.I. 2020/1181, regs. 1(2). 2)
- Sch. para. 9(1A) substituted by [S.I. 2019/139 reg. 13\(5\)\(c\)](#) (This amendment not applied to legislation.gov.uk. Amending Regulations revoked immediately before IP completion day by S.I. 2020/1181, regs. 1(2). 2)
- Sch. para. 8(1)(d) words inserted by [S.I. 2019/139 reg. 13\(4\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Amending Regulations revoked immediately before IP completion day by S.I. 2020/1181, regs. 1(2). 2)
- Sch. para. 8(1)(e) words inserted by [S.I. 2019/139 reg. 13\(4\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Amending Regulations revoked immediately before IP completion day by S.I. 2020/1181, regs. 1(2). 2)
- Sch. para. 9(1)(c) words inserted by [S.I. 2019/139 reg. 13\(5\)\(b\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. Amending Regulations revoked immediately before IP completion day by S.I. 2020/1181, regs. 1(2). 2)
- Sch. para. 10(1)(d) words inserted by [S.I. 2019/139 reg. 13\(6\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Amending Regulations revoked immediately before IP completion day by S.I. 2020/1181, regs. 1(2). 2)
- Sch. para. 11(1)(c) words inserted by [S.I. 2019/139 reg. 13\(7\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Amending Regulations revoked immediately before IP completion day by S.I. 2020/1181, regs. 1(2). 2)
- Sch. para. 11(1)(d) words inserted by [S.I. 2019/139 reg. 13\(7\)\(c\)](#) (This amendment not applied to legislation.gov.uk. Amending Regulations revoked immediately before IP completion day by S.I. 2020/1181, regs. 1(2). 2)
- Sch. para. 12 words inserted by [S.I. 2019/139 reg. 13\(8\)](#) (This amendment not applied to legislation.gov.uk. Amending Regulations revoked immediately before IP completion day by S.I. 2020/1181, regs. 1(2). 2)
- Sch. para. 9 heading words substituted by [S.I. 2019/139 reg. 13\(5\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Amending Regulations revoked immediately before IP completion day by S.I. 2020/1181, regs. 1(2). 2)
- Sch. para. 9(1)(a)(i) words substituted by [S.I. 2019/139 reg. 13\(5\)\(b\)\(i\)](#) (This amendment not applied to legislation.gov.uk. Amending Regulations revoked immediately before IP completion day by S.I. 2020/1181, regs. 1(2). 2)
- Sch. para. 10(1)(a) words substituted by [S.I. 2019/139 reg. 13\(6\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Amending Regulations revoked immediately before IP completion day by S.I. 2020/1181, regs. 1(2). 2)
- Sch. para. 10(2) words substituted by [S.I. 2019/139 reg. 13\(6\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Amending Regulations revoked immediately before IP completion day by S.I. 2020/1181, regs. 1(2). 2)

- Sch. 1 para. 4C(1) Sch. 1 para. 4C renumbered as Sch. 1 para. 4C(1) by [S.I. 2024/85 reg. 17\(2\)\(b\)](#)
- Sch. 1 para. 4E(1) Sch. 1 para. 4E renumbered as Sch. 1 para. 4E(1) by [S.I. 2024/85 reg. 17\(2\)\(e\)](#)
- Sch. 1 para. 5A(1) Sch. 1 para. 5A renumbered as Sch. 1 para. 5A(1) by [S.I. 2023/74 reg. 64\(3\)\(b\)](#)
- Sch. 1 para. 5B inserted by [S.I. 2022/534 reg. 6\(2\)\(b\)](#)
- Sch. 1 para. 5C inserted by [S.I. 2022/534 reg. 7\(1\)\(b\)](#)
- Sch. 1 para. 5A(2)-(4) inserted by [S.I. 2023/74 reg. 64\(3\)\(c\)](#)
- Sch. 1 para. 4C(2)(3) inserted by [S.I. 2024/85 reg. 17\(2\)\(c\)](#)
- Sch. 1 para. 4E(2)(3) inserted by [S.I. 2024/85 reg. 17\(2\)\(f\)](#)
- Sch. 1 para. 9C(1)(a)(iii) and word inserted by [S.I. 2024/85 reg. 19\(a\)\(iii\)](#)
- Sch. 1 para. 9C(3)(4) inserted by [S.I. 2024/85 reg. 19\(b\)](#)
- Sch. 1 para. 5C substituted by [S.I. 2023/74 reg. 64\(4\)](#)
- Sch. 1 para. 4C(1)(a)(i)(ii) substituted for Sch. 1 para. 4C(1)(a)(i)-(iii) by [S.I. 2024/85 reg. 16\(2\)](#)
- Sch. 1 para. 4E(1)(a)(i)(ii) substituted for Sch. 1 para. 4E(1)(a)(i)-(iv) by [S.I. 2024/669 reg. 9](#)
- Sch. 1 para. 5B words substituted by [S.I. 2023/74 reg. 60\(10\)](#)
- reg. 4(2)-(2D) substituted for reg. 4(2) by [S.I. 2023/74 reg. 62](#)
- reg. 4(2)(a) words substituted by [S.I. 2024/85 reg. 14\(1\)](#)
- reg. 4(2C)(c) words inserted by [S.I. 2024/85 reg. 17\(1\)](#)
- reg. 4(2C)(c) words substituted by [S.I. 2024/85 reg. 16\(1\)](#)
- reg. 4(2C)(e) words inserted by [S.I. 2024/85 reg. 17\(1\)](#)
- reg. 4(2C)(f) words inserted by [S.I. 2023/74 reg. 63\(a\)](#)
- reg. 4(2C)(g) words inserted by [S.I. 2023/74 reg. 63\(b\)](#)
- reg. 4(2D)(e) words substituted by [S.I. 2024/85 reg. 16\(1\)](#)
- reg. 4(2ZA) inserted by [S.I. 2024/85 reg. 15](#)
- reg. 9(1)(a) words inserted by [S.I. 2022/534 reg. 6\(1\)\(f\)](#)
- reg. 9(2)(a) words inserted by [S.I. 2022/534 reg. 6\(1\)\(f\)](#)
- reg. 9B inserted by [S.I. 2024/418 reg. 2](#)