

## SCHEDULE 1

### [<sup>F1</sup>Persons resident in Gibraltar

**9E.**—(1) A person—

(a) who is—

- (i) a United Kingdom national who has resident status in Gibraltar granted by the Government of Gibraltar;
- (ii) a family member of a United Kingdom national, where that family member has resident status in Gibraltar granted by the Government of Gibraltar;
- (iii) an EU national who has a right of residence in Gibraltar arising under the EU withdrawal agreement; or
- (iv) a family member of an EU national, where that family member has a right of residence in Gibraltar arising under the EU withdrawal agreement;

(b) who is undertaking the course in the United Kingdom;

(c) who, subject to 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

(d) 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 (c) been wholly or mainly for the purpose of receiving full-time education.

(2) Paragraph (c) of sub-paragraph (1) does not apply to a family member of a person who—

(a) is an EU national or a relevant person of Northern Ireland; 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 (d) 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).]

#### 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](#)