

## SCHEDULE

### PART 2

#### Qualifying Persons

##### [<sup>F1</sup>Persons granted leave under one of the Afghan Schemes and their family members]

**5F.**—[<sup>F2</sup>(1)] A person granted leave under [<sup>F3</sup>one of the Afghan Schemes] who is ordinarily resident in the United Kingdom on [<sup>F4</sup>the course start date].

[<sup>F5</sup>(2) A person who—

- (a) is the spouse or civil partner of a person granted leave under one of the Afghan Schemes;
- (b) on the leave application date, was the spouse or civil partner of that person;
- (c) is ordinarily resident in the United Kingdom and Islands and has not ceased to be so resident since being granted leave to enter or remain in the United Kingdom; and
- (d) is ordinarily resident in the United Kingdom on the course start date.

(3) A person who—

- (a) is—
  - (i) the child of a person granted leave under one of the Afghan Schemes; or
  - (ii) the child of the spouse or civil partner of a person granted leave under one of the Afghan Schemes;
- (b) on the leave application date, was—
  - (i) the child of the person granted leave under one of the Afghan Schemes; or
  - (ii) the child of a person who was the spouse or civil partner of a person granted leave under one of the Afghan Schemes on that date;
- (c) was under 18 on the leave application date;
- (d) is ordinarily resident in the United Kingdom and Islands and has not ceased to be so resident since being given leave to enter or remain in the United Kingdom; and
- (e) is ordinarily resident in the United Kingdom on the course start date.

(4) In this paragraph “leave application date” means the date on which the person granted leave under one of the Afghan Schemes made an application for leave to enter or remain in the United Kingdom.]

#### Textual Amendments

- F1** Sch. para. 5F heading substituted (with application in accordance with reg. 2(6)(7)(9) of the amending S.I.) by [The Education \(Student Fees, Awards and Support\) \(Amendment\) Regulations 2023 \(S.I. 2023/74\)](#), **reg. 108(a)(i)**
- F2** Sch. para. 5F renumbered as Sch. para. 5F(1) (with application in accordance with reg. 2(6)(7)(9) of the amending S.I.) by [The Education \(Student Fees, Awards and Support\) \(Amendment\) Regulations 2023 \(S.I. 2023/74\)](#), **reg. 108(a)(ii)**
- F3** Words in Sch. para. 5F substituted (15.2.2022) by [The Education \(Student Fees, Awards and Support\) \(Amendment\) Regulations 2022 \(S.I. 2022/57\)](#), regs. 1(1), **26(3)** (with reg. 1(3))
- F4** Words in Sch. para. 5F substituted (with application in accordance with reg. 2(4)(5)(a) of the amending S.I.) by [The Education \(Student Fees, Awards and Support\) \(Amendment\) Regulations 2023 \(S.I. 2023/74\)](#), **reg. 104(8)**

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Higher Education (Fee Limit Condition) (England) Regulations 2017. 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](#)

**F5** Sch. para. 5F(2)-(4) inserted (with application in accordance with reg. 2(6)(7)(9) of the amending S.I.) by The Education (Student Fees, Awards and Support) (Amendment) Regulations 2023 (S.I. 2023/74), **reg. 108(a)(iii)**

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**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. 12(1)(a)-(d) Sch. para. 12(a)-(d) renumbered as Sch. para. 12(1)(a)-(d) by [S.I. 2019/139 reg. 25\(3\)\(e\)\(i\)](#) (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. 12(1)(c) words inserted by [S.I. 2019/139 reg. 25\(3\)\(e\)\(ii\)](#) (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. 12(1)(d) words inserted by [S.I. 2019/139 reg. 25\(3\)\(e\)\(iii\)](#) (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 Pt. 2 para. 5C inserted by [S.I. 2020/46 reg. 2\(6\)\(c\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 2(bbza)(i)(aa)-(ee) substituted for reg. 2(bbza)(i)(aa)-(dd) by [S.I. 2024/669 reg. 13](#)