
STATUTORY INSTRUMENTS

2018 No. 137

The Education (Student Fees, Awards and Support) (Amendment) Regulations 2018

PART 4

AMENDMENT OF OTHER INSTRUMENTS

Amendment of the Education (Fees and Awards) (England) Regulations 2007

17. In the Education (Fees and Awards) (England) Regulations 2007⁽¹⁾, in Schedule 1⁽²⁾ (categories of person)—

- (a) in paragraph 1, after the definition of “person granted humanitarian protection”, insert—
- ““person granted stateless leave” means a person—
- (a) who has extant leave to remain as a stateless person under the immigration rules (within the meaning given in section 33(1) of the Immigration Act 1971); and
- (b) who has been ordinarily resident in the United Kingdom and Islands throughout the period since the person was granted such leave;”;
- (b) after paragraph 4, insert—

“Persons granted stateless leave and their family members

- 4A.—**(1) A person granted stateless leave who—
- (a) is ordinarily resident in the United Kingdom on the first day of the first academic year of the course; and
- (b) has been ordinarily resident in the United Kingdom and Islands throughout the three-year period preceding the first day of the first academic year of the course.
- (2) A person—
- (a) who—
- (i) is the spouse or civil partner of a person granted stateless leave; and
- (ii) on the leave application date, was the spouse or civil partner of a person granted stateless leave;
- (b) who is ordinarily resident in the United Kingdom on the first day of the first academic year of the course; and
- (c) who has been ordinarily resident in the United Kingdom and Islands throughout the three-year period preceding the first day of the first academic year of the course.

⁽¹⁾ S.I. 2007/779, amended by S.I. 2007/2263, 2010/1172, 2010/1941, 2011/87, 2011/1043, 2011/1987, 2012/765, 2012/956, 2012/1653, 2015/971, 2016/584 and 2017/114.

⁽²⁾ Schedule 1 was amended by S.I. 2007/2263, 2011/87, 2011/1043, 2011/1987, 2016/584 and 2017/114.

- (3) A person—
 - (a) who—
 - (i) is the child of a person granted stateless leave or the child of the spouse or civil partner of a person granted stateless leave; and
 - (ii) on the leave application date, was the child of a person granted stateless leave or the child of a person who, on the leave application date, was the spouse or civil partner of a person granted stateless leave;
 - (b) was under 18 on the leave application date;
 - (c) is ordinarily resident in the United Kingdom on the first day of the first academic year of the course; and
 - (d) has been ordinarily resident in the United Kingdom and Islands throughout the three-year period preceding the first day of the first academic year of the course.
- (4) In this paragraph, “leave application date” means the date on which the person granted stateless leave made an application to remain in the United Kingdom as a stateless person under the immigration rules (within the meaning given in section 33(1) of the Immigration Act 1971).”.