
STATUTORY INSTRUMENTS

2020 No. 1203

The Education (Student Fees, Awards and Support etc.) (Amendment) (No. 3) Regulations 2020

Amendments relating to ordinary residence requirements

23.—(1) Part 2 of the Schedule to the Higher Education (Fee Limit Condition) (England) Regulations 2017(1) (qualifying persons: prescribed categories) is amended as follows.

(2) In paragraph 5A (persons granted stateless leave and their family members)—

(a) for sub-paragraph (1) substitute—

“(1) A person granted stateless leave, who is ordinarily resident in the United Kingdom on the first day of the first academic year of the course.”;

(b) in sub-paragraph (2), for paragraphs (b) and (c) substitute—

“(b) who 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

(c) who is ordinarily resident in the United Kingdom on the first day of the first academic year of the course.”;

(c) in sub-paragraph (3), for paragraphs (c) and (d) substitute—

“(c) who 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

(d) who is ordinarily resident in the United Kingdom on the first day of the first academic year of the course.”.

(3) In paragraph 5B (persons granted section 67 leave)—

(a) at the end of sub-paragraph (a), insert “and”;

(b) for sub-paragraphs (b) to (d) substitute—

“(b) is ordinarily resident in the United Kingdom on the first day of the first academic year of the course.”.

(4) For paragraph 5D substitute—

“Persons granted Calais leave

5D. A person granted Calais leave, who is ordinarily resident in the United Kingdom on the first day of the first academic year of the course.”.

(5) In paragraph 6 (persons granted humanitarian protection and their family members)—

(a) for sub-paragraph (1) substitute—

(1) Paragraph 5A of Schedule 1 was inserted by [S.I. 2018/903](#), paragraph 5B was inserted by [S.I. 2019/142](#) and paragraph 5D was inserted by [S.I. 2020/48](#).

“(1) A person granted humanitarian protection, who is ordinarily resident in the United Kingdom on the first day of the first academic year of the course.”;

(b) in sub-paragraph (2), for paragraphs (c) and (d) substitute—

“(c) 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

(d) is ordinarily resident in the United Kingdom on the first day of the first academic year of the course.”;

(c) in sub-paragraph (3), for paragraphs (d) and (e) substitute—

“(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 first day of the first academic year of the course.”.