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STATUTORY INSTRUMENTS

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**2021 No. 127**

**The Education (Student Fees, Awards and Support) (Amendment) Regulations 2021**

**PART 8**

Amendment of the Education (Postgraduate Doctoral Degree Loans and the Education (Student Loans) (Repayment) (Amendment) (No. 2) etc.) Regulations 2018

**Amendment of regulation 2**

**63.** In regulation 2(1) (interpretation)—

(a) in paragraph (1)—

(i) after the definition of “the 2016 Master’s Degree Regulations”, insert—

““the 2020 Citizens’ Rights Regulations” means the Citizens’ Rights (Application Deadline and Temporary Protection) (EU Exit) Regulations 2020;”;

(ii) after the definition of “fees”, insert—

““grace period” has the meaning given by regulation 3 of the 2020 Citizens’ Rights Regulations;”;

(iii) after the definition of “person granted stateless leave”, insert—

““person with protected rights” means—

(a) a person within the personal scope of the citizens’ rights provisions who—

(i) has leave to enter or remain in the United Kingdom granted by virtue of residence scheme immigration rules;

(ii) is an Irish citizen who, pursuant to section 3ZA of the Immigration Act 1971, does not require leave to enter or remain in the United Kingdom;

(iii) is a relevant person for the purposes of regulation 3 of the 2020 Citizens’ Rights Regulations where the grace period has not ended; or

(iv) is an applicant for the purposes of regulation 4 of the 2020 Citizens’ Rights Regulations where the relevant period has not expired; or

(b) a family member of a relevant person of Northern Ireland for the purposes of residence scheme immigration rules, where that family member has leave to enter or remain in the United Kingdom granted by virtue of residence scheme immigration rules;”;

(iv) after the definition of “registered provider”, insert—

““relevant period” has the meaning given by regulation 4 of the 2020 Citizens’ Rights Regulations;

“relevant person of Northern Ireland” has the meaning given by residence scheme immigration rules;

“residence scheme immigration rules” has the meaning given by section 17(1) of the European Union (Withdrawal Agreement) Act 2020;”;

(v) after the definition of “student support regulations”, insert—

““Swiss citizens’ rights agreement” has the meaning given by section 39(1) of the European Union (Withdrawal Agreement) Act 2020;”;

(b) after paragraph (2), insert—

“(3) For the purposes of these Regulations, a person is within the personal scope of the citizens’ rights provisions if that person falls within—

(a) Article 10 (personal scope) of the EU withdrawal agreement;

(b) Article 9 (personal scope) of the EEA EFTA separation agreement (as defined in section 39(1) of the European Union (Withdrawal Agreement) Act 2020); or

(c) Article 10 (personal scope) of the Swiss citizens’ rights agreement.”.