
STATUTORY INSTRUMENTS

2021 No. 1348

The Education (Student Fees, Awards and Support) (Amendment) (No. 3) Regulations 2021

PART 3

Corresponding amendments to other Regulations

CHAPTER 3

Amendment of the Further Education Loans Regulations 2012

SECTION 2

Eligibility of Afghan locally employed staff

Eligibility of Afghan locally employed staff: further education loans

- 34.**—(1) In regulation 2(1), at the appropriate place in the alphabetical order, insert—
- ““person granted leave under the Afghan Relocations and Assistance Scheme” means a person—
- (a) who has —
 - (i) indefinite leave to enter the United Kingdom under paragraph 276BA2 of or has indefinite leave to remain under paragraph 276BS2 of the Immigration Rules, having been relocated to the United Kingdom pursuant to paragraph 276BB1(iv) of the Immigration Rules as defined in section 33(1) of the Immigration Act 1971;
 - (ii) leave to enter the United Kingdom on the basis of the Afghan Relocations and Assistance Scheme;
 - (iii) indefinite leave to enter or remain in the United Kingdom, outside those rules, on the basis of the Afghan Relocations and Assistance Scheme; or
 - (iv) leave to enter or indefinite leave to enter the United Kingdom as the spouse, civil partner or dependent child of such a person, or dependent child of the spouse or civil partner, having been granted that leave under paragraph 276BJ1 or 276BO1 of those rules;
 - (b) who has been ordinarily resident in the United Kingdom and Islands throughout the period since the person was granted such leave;”.
- (2) In regulation 3—
- (a) in paragraph (2)(a)(i), after “5,” insert “5A,”;
 - (b) after paragraph (8) insert—
 - “(8A) Where—
 - (a) the Secretary of State has determined that, by virtue of being a person granted leave under the Afghan Relocations and Assistance Scheme, a person (“A”) is an

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

eligible student in connection with an application for a fee loan for a designated further education course; and

- (b) as at the day before that course begins, the period for which the person granted leave under the Afghan Relocations and Assistance Scheme is allowed to stay in the United Kingdom has expired,

A’s status as an eligible student terminates immediately before the first day of the course.”.

- (3) In regulation 7(1), move the terminal “or” from after paragraph (k) to after paragraph (l) and after that paragraph insert—

“(m) the student becomes a person granted leave under the Afghan Relocations and Assistance Scheme.”.

- (4) In Schedule 1 (eligible students), after paragraph 5, insert—

“Persons granted leave under the Afghan Relocations and Assistance Scheme

5A. A person granted leave under the Afghan Relocations and Assistance Scheme who is ordinarily resident in the United Kingdom on the first day of the designated further education course.”.

(1) Regulation 7 has been amended including the insertion of paragraph 9l) by [S.I. 2020/1203](#).