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STATUTORY INSTRUMENTS

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**2021 No. 929**

The Education (Student Fees, Awards and Support) (Amendment) (No. 2) Regulations 2021

PART 3

Corresponding amendments to other regulations

CHAPTER 6

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

SECTION 2

*Citizens' rights and residency criteria*

**Amendment to regulation 2**

- 31.** In regulation 2(1), in the definition of “person with protected rights”—
- (a) the existing text after “means—” is numbered as paragraph (1) of that definition;
  - (b) in that paragraph as so numbered, omit the terminal “or” after sub-paragraph (a)(iii), and after sub-paragraph (a)(iv), insert—
    - “(v) otherwise has rights deemed to apply by virtue of any citizens’ rights deeming provisions; or”;
  - (c) after that paragraph as so numbered, insert—
    - “(2) In paragraph (1)(a)(v) “citizens’ rights deeming provisions” means—
      - (a) Article 18(2) and (3) (issuance of residence documents) of the EU withdrawal agreement;
      - (b) Article 17(2) and (3) (issuance of residence documents) of the EEA EFTA separation agreement (as defined in section 39(1) of the European Union (Withdrawal Agreement) Act 2020); or
      - (c) Article 16(2) and (3) (issuance of residence documents) of the Swiss citizens’ rights agreement.”.