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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 3*

*Irish citizens in the EEA and Switzerland*

**Eligibility of Irish citizens in the EEA and Switzerland**

**34.**—(1) In regulation 3—

- (a) in paragraph (2)(a), after “10B,” insert “10BA,”;
- (b) in paragraph (2B), for “, 10B and 10D” substitute “, 10B, 10BA and 10D”.

(2) In Schedule 1, after paragraph 10B, insert—

“**10BA.**—(1) A person—

- (a) who is an Irish citizen on the first day of the first academic year of the course;
- (b) who was ordinarily resident immediately before IP completion day—
  - (i) in the territory comprising the European Economic Area and Switzerland; or
  - (ii) in the United Kingdom, where that ordinary residence began after 31st December 2017 immediately following a period of ordinary residence in the territory comprising the European Economic Area and Switzerland,and has remained ordinarily resident in the territory comprising the United Kingdom, Gibraltar, the European Economic Area and Switzerland throughout the period beginning on IP completion day and ending immediately before the first day of the first academic year of the course;
- (c) who is attending or undertaking a designated course in England;
- (d) who has been ordinarily resident in the territory comprising the United Kingdom, Gibraltar, the European Economic Area and Switzerland throughout the three-year period preceding the first day of the first academic year of the course; and
- (e) subject to sub-paragraph (2), whose ordinary residence in the territory comprising the United Kingdom, Gibraltar, the European Economic Area and Switzerland

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has not during any part of the period referred to in paragraph (d) been wholly or mainly for the purpose of receiving full-time education.

(2) Paragraph (e) of sub-paragraph (1) does not apply to a person who is treated as being ordinarily resident in the territory comprising the United Kingdom, Gibraltar, the European Economic Area and Switzerland in accordance with paragraph 1(5).”.