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STATUTORY INSTRUMENTS

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**2022 No. 534**

**The Education (Student Fees, Awards and Support) (Amendment) (No. 2) Regulations 2022**

**PART 3**

Corresponding amendments to other Regulations

CHAPTER 2

Amendment of the Education (Student Support) (European University Institute) Regulations 2010

*SECTION 1*

*Introductory*

**Amendment of the Education (Student Support) (European University Institute) Regulations 2010**

8. The Education (Student Support) (European University Institute) Regulations 2010(1) are amended as follows.

*SECTION 2*

*Evacuated or assisted British nationals from Afghanistan*

**Eligibility of evacuated or assisted British nationals from Afghanistan: European University Institute**

9.—(1) In regulation 9(2)(b)(i)(2), after “5A” insert “, 5B, 5C,”;

(2) In Schedule 1—

(a) in paragraph 1(1), after the definition of “European Economic Area”, insert—

““evacuated or assisted British national from Afghanistan” means a person—

- (a) who is a British citizen, a British overseas territories citizen, a British National (Overseas), a British Overseas citizen, a British subject under the British Nationality Act 1981 or a British protected person within the meaning of that Act;
- (b) who was either—
  - (i) evacuated from Afghanistan by or on behalf of the United Kingdom, a North Atlantic Treaty Organisation member state, Pakistan, Uzbekistan, Tajikistan, Iran or Qatar during the period of the operation known as

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(1) [S.I. 2010/447](#).

(2) Regulation 9(2)(b) was inserted by [S.I. 2021/127](#) and amended by [S.I. 2021/1348](#).

Operation Pitting, which began on 14th August 2021 and ended on 28th August 2021; or

- (ii) assisted by or on behalf of the United Kingdom, after 28th August 2021 and before 6th January 2022, to leave Afghanistan; and
  - (c) who has been ordinarily resident in the United Kingdom and Islands since they were evacuated from or otherwise left Afghanistan;”;
- (b) after paragraph 5A(3), insert—

**“Evacuated or assisted British nationals from Afghanistan**

**5B.** An evacuated or assisted British national from Afghanistan who is ordinarily resident in England on the relevant date.”.

*SECTION 3*

*Persons from Ukraine*

**Eligibility of persons from Ukraine: European University Institute**

**10.**—(1) In regulation 3(1), after the definition of “person granted indefinite leave to remain as a victim of domestic violence or domestic abuse”(4), insert—

““person granted leave under one of the Ukraine Schemes” means a person granted leave under the Homes for Ukraine Sponsorship Scheme, a person granted leave under the Ukraine Extension Scheme or a person granted leave under the Ukraine Family Scheme;

“person granted leave under the Homes for Ukraine Sponsorship Scheme” means a person—

- (a) who has leave to enter or remain in the United Kingdom—
  - (i) under paragraph UKR 19.1 of Appendix Ukraine Scheme of the Immigration Rules as defined in section 33(1) of the Immigration Act 1971; or
  - (ii) outside the Immigration Rules as defined in section 33(1) of the Immigration Act 1971 where the person—
    - (aa) was residing in Ukraine immediately before 1st January 2022; and
    - (bb) left Ukraine in connection with the Russian invasion which took place on 24th February 2022; and
- (b) who has been ordinarily resident in the United Kingdom and Islands throughout the period since the person was granted such leave;

“person granted leave under the Ukraine Extension Scheme” means a person—

- (a) who has leave to remain in the United Kingdom under paragraph UKR 27.1 of Appendix Ukraine Scheme of the Immigration Rules as defined in section 33(1) of the Immigration Act 1971; and
- (b) who has been ordinarily resident in the United Kingdom and Islands throughout the period since the person was granted such leave;

“person granted leave under the Ukraine Family Scheme” means a person—

- (a) who has leave to enter or remain in the United Kingdom—

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(3) Paragraph 5A was inserted by [S.I. 2021/1348](#).

(4) The definition of “person granted indefinite leave to remain as a victim of domestic violence or domestic abuse” was inserted by [S.I. 2020/48](#).

- (i) under paragraph UKR 9.1 of Appendix Ukraine Scheme of the Immigration Rules as defined in section 33(1) of the Immigration Act 1971; or
  - (ii) outside the Immigration Rules as defined in section 33(1) of the Immigration Act 1971 where the person—
    - (aa) was residing in Ukraine immediately before 1st January 2022; and
    - (bb) left Ukraine in connection with the Russian invasion which took place on 24th February 2022; and
  - (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 9, after paragraph (11C)(5), insert—
- “(11D) Where—
- (a) the Secretary of State determined that, by virtue of being a person granted leave under one of the Ukraine Schemes, a person (“A”) was an eligible person in connection with—
    - (i) an application for support for an earlier year of the current course, or
    - (ii) an application for support for a designated course at the Institute from which A’s status as an eligible student has been transferred to the current course, and
  - (b) as at the day before the academic year in respect of which A is applying for support begins, the period for which the person granted leave under one of the Ukraine Schemes is allowed to stay in the United Kingdom has expired and no further leave to enter or remain has been granted,
- A’s status as an eligible student terminates immediately before the first day of the academic year in respect of which A is applying for support.”.
- (3) In Schedule 1, after paragraph 5B, insert—

**“Persons granted leave under one of the Ukraine Schemes**

**5C.** A person granted leave under one of the Ukraine Schemes who is ordinarily resident in England on the relevant date.”.