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STATUTORY INSTRUMENTS

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**2022 No. 57**

**The Education (Student Fees, Awards and Support) (Amendment) Regulations 2022**

**PART 2** **E+W**

**Amendment of the Education (Student Support) Regulations 2011**

**CHAPTER 1** **E+W**

**Introductory**

**Amendment of the Education (Student Support) Regulations 2011** **E+W**

2. The Education (Student Support) Regulations 2011(1) are amended as follows.

**Commencement Information**

- II** Reg. 2 in force at 15.2.2022, see [reg. 1\(1\)](#)

**CHAPTER 2** **E+W**

**Relocated Afghan citizens**

**Eligibility of relocated Afghan citizens** **E+W**

3. In regulation 2(1)—
- (a) after the definition of “person granted indefinite leave to remain as a victim of domestic violence or domestic abuse”(2), insert—
- ““person granted leave under one of the Afghan Schemes” means a person granted leave under the Afghan Citizens Resettlement Scheme or a person granted leave under the Afghan Relocations and Assistance Policy Scheme;
- “person granted leave under the Afghan Citizens Resettlement Scheme” means a person—
- (a) who has—
- (i) indefinite leave to enter or remain in the United Kingdom, outside the immigration rules as defined in section 33(1) of the Immigration Act 1971(3), on the basis of the Afghan Citizens Resettlement Scheme; or

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(1) S.I. 2011/1986, amended by S.I. 2012/1653, 2013/235, 630, 1728 and 3106, 2014/1766, 2103 and 2765, 2015/1951, 2016/211, 270 and 584, 2017/52, 114 and 204, 2018/136, 137, 434, 443, 472 and 599, 2019/142, 983 and 1094, 2020/48, 1181 and 1203, 2021/127, 929 and 1348.

(2) 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.

(3) 1971 c. 77 to which there are amendments not relevant to this instrument.

- (ii) indefinite leave to enter or remain in the United Kingdom, outside those rules, as the spouse, civil partner or dependent child of such a person, or dependent child of the spouse or civil partner; and
  - (b) who has been ordinarily resident in the United Kingdom and Islands throughout the period since the person was granted such leave;”.
- (b) in the definition of “person granted leave under the Afghan Relocations and Assistance Scheme”(4)—
- (i) in the opening words and in paragraph (a)(ii) and (iii), after “Assistance” insert “Policy”;
  - (ii) in paragraph (a)(i) for “276BB1(iv)” substitute “276BB1(iii)(a)”;
  - (iii) in paragraph (a)(iv) for “276BJ1 or 276BO1” substitute “276BJ2 or 276BO2”.
4. In regulation 4(13C)(5), in the opening words of sub-paragraph (a) and in sub-paragraph (b), for “the Afghan Relocations and Assistance Scheme” substitute “one of the Afghan Schemes”.
5. In regulation 17(n)(6) for “the Afghan Relocations and Assistance Scheme” substitute “one of the Afghan Schemes”.
6. In regulation 85(2)(m)(7) for “the Afghan Relocations and Assistance Scheme” substitute “one of the Afghan Schemes”.
7. In regulation 137(11C)(8), in the opening words of sub-paragraph (a) and in sub-paragraph (b), for “the Afghan Relocations and Assistance Scheme” substitute “one of the Afghan Schemes”.
8. In regulation 138(4)(o)(9) for “the Afghan Relocations and Assistance Scheme” substitute “one of the Afghan Schemes”.
9. In regulation 138A(2)(m)(10) for “the Afghan Relocations and Assistance Scheme” substitute “one of the Afghan Schemes”.
10. In regulation 159(16C)(11), in the opening words of sub-paragraph (a) and in sub-paragraph (b), for “the Afghan Relocations and Assistance Scheme” substitute “one of the Afghan Schemes”.
11. In regulation 160(2)(m)(12) for “the Afghan Relocations and Assistance Scheme” substitute “one of the Afghan Schemes”.
12. In Schedule 1, in paragraph 14 and in the heading to that paragraph, for “the Afghan Relocations and Assistance Scheme” substitute “one of the Afghan Schemes”.

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**Commencement Information**

- I2** Reg. 3 in force at 15.2.2022, see **reg. 1(1)**
- I3** Reg. 4 in force at 15.2.2022, see **reg. 1(1)**
- I4** Reg. 5 in force at 15.2.2022, see **reg. 1(1)**
- I5** Reg. 6 in force at 15.2.2022, see **reg. 1(1)**
- I6** Reg. 7 in force at 15.2.2022, see **reg. 1(1)**

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- (4) Definition inserted by [S.I. 2021/1348](#).
  - (5) Paragraph (13C) was inserted by [S.I. 2021/1348](#).
  - (6) Paragraph (n) was inserted by [S.I. 2021/1348](#).
  - (7) Sub-paragraph (m) was inserted by [S.I. 2021/1348](#).
  - (8) Paragraph (11C) was inserted by [S.I. 2021/1348](#).
  - (9) Sub-paragraph (o) was inserted by [S.I. 2021/1348](#).
  - (10) Regulation 138A was inserted by [S.I. 2018/472](#); paragraph (2) was amended by [S.I. 2021/127](#) and [S.I. 2021/1348](#).
  - (11) Paragraph (16C) was inserted by [S.I. 2021/1348](#).
  - (12) Regulation 160(2) was amended by [S.I. 2021/1348](#).

- I7** Reg. 8 in force at 15.2.2022, see [reg. 1\(1\)](#)
- I8** Reg. 9 in force at 15.2.2022, see [reg. 1\(1\)](#)
- I9** Reg. 10 in force at 15.2.2022, see [reg. 1\(1\)](#)
- I10** Reg. 11 in force at 15.2.2022, see [reg. 1\(1\)](#)
- I11** Reg. 12 in force at 15.2.2022, see [reg. 1\(1\)](#)

## CHAPTER 3 **E+W**

### Overpayments

#### Recovery of fee loans **E+W**

**13.** In regulation 117(**13**), after paragraph (1A), insert—

“(1B) An academic authority must, if so required by the Secretary of State, repay any amount of a fee loan paid to the academic authority in respect of a student which for whatever reason exceeds the amount of a fee loan to which the student is entitled.”.

**14.** In regulation 157(**14**), after paragraph (1A), insert—

“(1B) An academic authority must, if so required by the Secretary of State, repay any amount of a fee loan paid to the academic authority in respect of a student which for whatever reason exceeds the amount of a fee loan to which the student is entitled.”.

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#### Commencement Information

- I12** Reg. 13 in force at 15.2.2022, see [reg. 1\(1\)](#)
- I13** Reg. 14 in force at 15.2.2022, see [reg. 1\(1\)](#)

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(13) Regulation 117 was amended by [S.I. 2015/1951](#) and [2020/1203](#).

(14) Regulation 157 was amended by [S.I. 2015/1951](#) and [2020/1203](#).

**Changes to legislation:**

There are currently no known outstanding effects for the The Education (Student Fees, Awards and Support) (Amendment) Regulations 2022, PART 2.