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STATUTORY INSTRUMENTS

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**2023 No. 74**

**EDUCATION, ENGLAND**

**The Education (Student Fees, Awards and  
Support) (Amendment) Regulations 2023**

*Made* - - - - - *24th January 2023*  
*Laid before Parliament* *26th January 2023*  
*Coming into force* *16th February 2023*

**THE EDUCATION (STUDENT FEES, AWARDS AND  
SUPPORT) (AMENDMENT) REGULATIONS 2023**

PART 1

Introductory

1. Citation and commencement
2. Extent and application
3. Interpretation: general

PART 2

Amendment of the Education (Student Support) Regulations 2011

CHAPTER 1

Introductory

4. Amendment of the Education (Student Support) Regulations 2011

CHAPTER 2

Definitions

5. Insertion of definition of “the course start date”
6. In Part 2 of Schedule 1 (eligible students: categories)—
7. Insertion of definition of “immigration rules”
8. In Part 2 of Schedule 1 (eligible students: categories)—

*Status: This is the original version (as it was originally made).*

9. Amendments to the definitions of “overseas territories” and “specified British overseas territories”
10. Amendments to the definition of “person granted leave under the Afghan Relocations and Assistance Policy Scheme”

### CHAPTER 3

#### Eligible students, eligible part-time students and eligible postgraduate students

11. Amendments relating to the ordinary residence requirements for students in existing protected categories
12. Amendments relating to students becoming eligible for student support in the course of an academic year
13. After regulation 2 insert— Meaning of “in-year qualifying event”, “protected...”
14. In regulation 9(2)(a) (time limits), for “one of the events...”
15. (1) For regulation 16 (other than the heading) (students becoming...
16. Omit regulation 17 (events).
17. In regulation 38 (general qualifying conditions for grants for living...
18. In regulation 41 (amount of disabled students’ allowance), for paragraph...
19. In regulation 45 (childcare grant), for paragraph (11) substitute—
20. In regulation 47(8)(d) (calculations) for “an event referred to in...
21. For regulation 49A (quarters in respect of which grant for...
22. In regulation 56 (qualifying conditions for maintenance grants), for paragraph...
23. In regulation 61 (qualifying conditions for special support grant), for...
24. (1) In regulation 85 (students becoming eligible in the course...
25. For regulation 138 (other than the heading) (students becoming eligible...
26. For regulation 138A (other than the heading) (students becoming eligible...
27. In regulation 147 (disabled part-time students’ allowance), for paragraph (8)...
28. In regulation 148(6)(a) (applications for support), for “one of the...
29. In regulation 157C(6)(a) (applications for a loan for living costs)...
30. For regulation 160 (other than the heading) (postgraduate students becoming...
31. (1) Regulation 166 (amount of grant) is amended as follows....
32. In Part 1 of Schedule 1 (eligible students: interpretation), in...
33. Amendments relating to family members of persons granted leave under one of the Afghan Schemes or one of the Ukraine Schemes
34. In regulation 4 (eligible students)— (a) in paragraph (13C)(a), after...
35. In regulation 137 (eligible part-time students)— (a) in paragraph (11C) (a),...
36. In regulation 159 (eligible postgraduate students)— (a) in paragraph (16C) (a),...
37. (1) Part 2 of Schedule 1 (eligible students: categories) is...

### CHAPTER 4

#### Designated courses and designated part-time courses

38. Designation of courses for higher technical qualifications
39. (1) In regulation 22 (standard entitlement of current system students...

40. In regulation 139(2A) (designated part-time courses), after sub-paragraph (c) insert—...
41. In Schedule 2 (designated courses), after paragraph 11 insert— A course for an approved HTQ. .
42. Amendments relating to courses for initial further education teacher training
43. In regulation 2A (as inserted by regulation 13 of these...
44. After regulation 2A insert— Recognition of initial further education teacher...
45. In regulation 12(4ZA) (previous course), for sub-paragraph (a) (other than...
46. In regulation 13(2ZA) (miscellaneous), for sub-paragraph (a) (other than “and”...
47. In regulation 144(6A) (fee loans for designated part-time courses beginning...

## CHAPTER 5

### Other minor amendments

48. Omission of references to “qualifying courses” and “qualifying students”
49. (1) Regulation 4 (eligible students) (as amended by regulation 34...
50. In regulation 56(5) (qualifying conditions for the maintenance grant) for...
51. In regulation 111 (provision of national insurance number)—
52. In regulation 112 (information requirements)— (a) in paragraph (1), for...

## CHAPTER 6

### New payment rates

53. Amendments relating to new payment rates for student support

### PART 3

#### Corresponding amendments to other subordinate legislation

## CHAPTER 1

### The Education (Fees and Awards) (England) Regulations 2007

#### SECTION 1

##### *Introductory*

54. Amendment of the Education (Fees and Awards) (England) Regulations 2007

#### SECTION 2

##### *Definitions*

55. Insertion of definition of “the course start date”
56. (1) Schedule 1 (eligible students) is amended as follows.—
57. Insertion of definition of “immigration rules”
58. Amendments to the definitions of “overseas territories” and “specified British overseas territories”

*Status: This is the original version (as it was originally made).*

59. Amendments to the definition of “person granted leave under the Afghan Relocations and Assistance Policy Scheme”

### SECTION 3

#### *Qualifying persons*

60. Amendments relating to the ordinary residence requirements for persons in existing protected categories
61. Amendments relating to students who fall within in a paragraph of Schedule 1 after the start of a course
62. In regulation 4 (fee charging), for paragraph (2) substitute—
63. Amendments relating to family members of persons granted leave under one of the Afghan Schemes or one of the Ukraine Schemes
64. (1) Schedule 1 (eligible students) (as amended by regulations 59...

### CHAPTER 2

#### The Education (Student Support) (European University Institute) Regulations 2010

### SECTION 1

#### *Introductory*

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

### SECTION 2

#### *Definitions*

66. Insertion of definition of “immigration rules”
67. (1) Schedule 1 (eligible students) is amended as follows.
68. Amendments to the definitions of “overseas territories” and “specified British overseas territories”
69. Amendments to the definition of “person granted leave under the Afghan Relocations and Assistance Policy Scheme”

### SECTION 3

#### *Eligible students*

70. Amendments relating to family members of persons granted leave under one of the Afghan Schemes or one of the Ukraine Schemes
71. (1) Schedule 1 (eligible students) is amended as follows.

### CHAPTER 3

#### The Further Education Loans Regulations 2012

### SECTION 1

#### *Introductory*

72. Amendment of the Further Education Loans Regulations 2012

## SECTION 2

### *Definitions*

73. Insertion of definition of “immigration rules”
74. Amendments to the definitions of “overseas territories” and “specified British overseas territories”
75. Amendments to the definition of “person granted leave under the Afghan Relocations and Assistance Policy Scheme”

## SECTION 3

### *Eligible students*

76. Amendments relating to students becoming eligible for loans after their course has started
77. Omit regulation 7 (events).
78. In Part 1 of Schedule 1 (eligible students: interpretation), in...
79. Amendments relating to family members of persons granted leave under one of the Afghan Schemes or one of the Ukraine Schemes
80. In regulation 3 (eligible students)— (a) in paragraph (8A)(a), after...
81. In regulation 6 (as substituted by regulation 76 of these...
82. In Part 2 of Schedule 1 (eligible students: categories)—

## CHAPTER 4

### The Education (Postgraduate Master’s Degree Loans) Regulations 2016

## SECTION 1

### *Introductory*

83. Amendment of the Education (Postgraduate Master’s Degree Loans) Regulations 2016

## SECTION 2

### *Definitions*

84. Insertion of definition of “the course start date”
85. In Part 2 of Schedule 1 (eligible students: categories)—
86. Insertion of definition of “immigration rules”
87. In Part 2 of Schedule 1 (eligible students: categories)—
88. Amendments to the definitions of “overseas territories” and “specified British overseas territories”
89. Amendments to the definition of “person granted leave under the Afghan Relocations and Assistance Policy Scheme”

## SECTION 3

### *Eligible students*

90. Amendments relating to the ordinary residence requirements relating to students in existing protected categories

*Status: This is the original version (as it was originally made).*

91. Amendments relating to students who become eligible for a loan during their course
92. Omit regulation 8 (events).
93. Amendments relating to family members of persons granted leave under one of the Afghan Schemes or one of the Ukraine Schemes
94. In regulation 7 (as substituted by regulation 91 of these...
95. In Part 2 of Schedule 1 (eligible students: categories)—

#### SECTION 4

##### *Payment rates*

96. Amendments relating to payment rates

#### CHAPTER 5

##### The Higher Education (Fee Limit Condition) (England) Regulations 2017

#### SECTION 1

##### *Introductory*

97. Amendment of the Higher Education (Fee Limit Condition) (England) Regulations 2017

#### SECTION 2

##### *Definitions*

98. Insertion of definition of “the course start date”
99. (1) Part 2 of the Schedule (qualifying persons: categories) is...
100. Insertion of definition of “immigration rules”
101. (1) The Schedule (qualifying persons) is amended as follows.
102. Amendments to the definitions of “overseas territories” and “specified British overseas territories”
103. Amendments to definition of “person granted leave under the Afghan Relocations and Assistance Policy Scheme”

#### SECTION 3

##### *Qualifying persons*

104. Amendments relating to the ordinary residence requirements for existing protected categories
105. Amendments relating to events occurring after the start of an academic year
106. Amendments relating to family members of persons granted leave under one of the Afghan Schemes or one of the Ukraine Schemes
107. In regulation 6(2) (qualifying person: effect of event during academic...
108. In Part 2 of the Schedule (qualifying persons: categories)—

#### SECTION 4

##### *Courses*

109. Exceptions: training courses for further education teachers

## CHAPTER 6

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

#### SECTION 1

##### *Introductory*

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

#### SECTION 2

##### *Definitions*

111. Insertion of definition of “the course start date”
112. In Part 2 of Schedule 1 (eligible students: categories)—
113. Insertion of definition of “immigration rules”
114. Amendments to the definitions of “overseas territories” and “specified British overseas territories”
115. Amendments to the definition of “person granted leave under the Afghan Relocations and Assistance Policy Scheme”

#### SECTION 3

##### *Eligible students*

116. Amendments relating to the ordinary residence requirements for existing protected categories
117. Amendments relating to students becoming eligible in the course of an academic year
118. Omit regulation 8 (events).
119. Amendments relating to family members of persons granted leave under one of the Afghan Schemes or one of the Ukraine Schemes
120. In regulation 7(2) (as substituted by regulation 117 of these...
121. In Part 2 of Schedule 1 (eligible students: categories)—

#### SECTION 4

##### *Payment rates*

122. Amendments relating to payment rates
123. In regulation 13(4) for “£11,836” substitute “£12,167”.

## CHAPTER 7

### The Higher Education Short Course (Loans) Regulations 2022

*Status: This is the original version (as it was originally made).*

## SECTION 1

### *Introductory*

124. Amendment of the Higher Education Short Course (Loans) Regulations 2022

## SECTION 2

### *Definitions*

125. Amendments to the definitions of “overseas territories” and “specified British overseas territories”
126. Amendments to the definition of “person granted leave under the Afghan Relocations and Assistance Policy Scheme”

## SECTION 3

### *Eligible students*

127. Amendments relating to students who become eligible after the start of an HE short course
128. (1) Regulation 7 (students who become eligible students after the...
129. Amendment relating to the family members of persons granted leave under one of the Afghan Schemes or one of the Ukraine Schemes
130. In regulation 6 (students who cease to be eligible students...
131. In regulation 7 (students who become eligible after the start...
132. (1) Schedule 1 (eligible students) is amended as follows.

## PART 4

### Other amendments

133. Amendment of regulation 9 of the Education (Student Support) (European University Institute) Regulations 2010
134. Amendments relating to termination of status as eligible student: Education (Postgraduate Master’s Degree Loans) Regulations 2016
135. In regulation 12(4) (amount of the postgraduate master’s degree loan)—...
136. Amendments relating to termination of status as eligible student: Education (Postgraduate Doctoral Degree Loans and the Education (Student Loans) (Repayment) (Amendment) (No. 2) etc.) Regulations 2018
137. Amendment of regulation 2 of the Higher Education Short Course Loans Regulations 2022

## PART 5

### Savings

138. Interpretation of Part 5
  139. Savings: Education (Student Support) Regulations 2011
  140. Savings: Education (Student Support) (European University Institute) Regulations 2010
  141. Savings: Higher Education Short Course Loans Regulations 2022
- Signature



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SCHEDULE — Amendments relating to new payment rates for student support  
under the Education (Student Support) Regulations 2011

Explanatory Note