
STATUTORY INSTRUMENTS

2023 No. 74

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

PART 3

Corresponding amendments to other subordinate legislation

CHAPTER 2

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

SECTION 2

Definitions

Insertion of definition of “immigration rules”

66. In regulation 3(1) (interpretation)(1)—

- (a) after the definition of “grants for living and other costs”, insert—
 - ““immigration rules” has the meaning given in section 33(1) of the Immigration Act 1971;”;
- (b) in the definition of “person granted Calais leave”, in paragraph (a) omit “, as defined in section 33(1) of the Immigration Act 1971”;
- (c) in the definition of “person granted humanitarian protection”, in paragraph (a) omit “as defined in section 33(1) of the Immigration Act 1971”;
- (d) in the definition of “person granted indefinite leave to remain as a bereaved partner”, in paragraph (a) omit “, as defined in section 33(1) of the Immigration Act 1971”;
- (e) in the definition of “person granted indefinite leave to enter or remain as a victim of domestic violence or domestic abuse”, in paragraph (a) omit “, as defined in section 33(1) of the Immigration Act 1971”;
- (f) in the definition of “person granted leave under the Homes for Ukraine Sponsorship Scheme”—
 - (i) in paragraph (a)(i), for “Immigration Rules as defined in section 33(1) of the Immigration Act 1971” substitute “immigration rules”;
 - (ii) in paragraph (a)(ii), for “Immigration Rules as defined in section 33(1) of the Immigration Act 1971” substitute “immigration rules”;
- (g) in the definition of “person granted leave under the Ukraine Extension Scheme”, in paragraph (a), for “Immigration Rules as defined in section 33(1) of the Immigration Act 1971” substitute “immigration rules”;

(1) Relevant amending instruments are [S.I. 2011/83](#), [2018/137](#), [2020/48](#), [2020/1203](#), [2021/1348](#) and [2022/534](#).

- (h) in the definition of “person granted leave under the Ukraine Family Scheme”—
 - (i) in paragraph (a)(i), for “Immigration Rules as defined in section 33(1) of the Immigration Act 1971” substitute “immigration rules;
 - (ii) in paragraph (a)(ii), for “Immigration Rules as defined in section 33(1) of the Immigration Act 1971” substitute “immigration rules;
- (i) in the definition of “person granted stateless leave”, in paragraph (a) omit “(within the meaning given in section 33(1) of the Immigration Act 1971)”.

67.—(1) Schedule 1 (eligible students)(2) is amended as follows.

- (2) In Part 1 (interpretation), in paragraph 1(1)—
 - (a) in the definition of “person granted leave under the Afghan Citizens Resettlement Scheme”, in paragraph (a) omit “as defined in section 33(1) of the Immigration Act 1971”;
 - (b) in the definition of “person granted leave under the Afghan Relocations and Assistance Policy Scheme”, in paragraph (a)(i)—
 - (i) for “Immigration Rules”, in the first place it occurs, substitute “immigration rules”;
 - (ii) for “Immigration Rules as defined in section 33(1) of the Immigration Act 1971” substitute “immigration rules”.
- (3) In Part 2 (categories)—
 - (a) in paragraph 3(2) omit “(as defined in section 33(1) of the Immigration Act 1971)”;
 - (b) in paragraph 4A(4) omit “(within the meaning given in section 33(1) of the Immigration Act 1971)”.

Commencement Information

- I1** Reg. 66 in force at 16.2.2023, see [reg. 1](#)
- I2** Reg. 67 in force at 16.2.2023, see [reg. 1](#)

Amendments to the definitions of “overseas territories” and “specified British overseas territories”

- 68.** In Part 1 of Schedule 1 (eligible students: interpretation)(3), in paragraph 1(1)—
 - (a) in the definition of “overseas territories”, for “St Helena and Dependencies (Ascension Island and Tristan da Cunha)” substitute “St Helena, Ascension and Tristan da Cunha”;
 - (b) in the definition of “specified British overseas territories”, for “St Helena and Dependencies (Ascension Island and Tristan da Cunha)” substitute “St Helena, Ascension and Tristan da Cunha”.

Commencement Information

- I3** Reg. 68 in force at 16.2.2023, see [reg. 1](#)

(2) Relevant amending instruments are [S.I. 2021/1348](#) and [2022/57](#). Paragraph 4A was inserted by [S.I. 2018/137](#) and amended by [S.I. 2020/1203](#).

(3) Definitions inserted by [S.I. 2021/1348](#).

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

69. In Part 1 of Schedule 1 (eligible students: interpretation), in paragraph 1(1), in the definition of “person granted leave under the Afghan Relocations and Assistance Policy Scheme” (as amended by regulation 67 of these Regulations)—

(a) in paragraph (a), after sub-paragraph (i) insert—

“(ia) indefinite leave to enter the United Kingdom under ARAP paragraph 6.1 of Appendix Afghan Relocation and Assistance Policy of the immigration rules or indefinite leave to remain in the United Kingdom under paragraph ARAP 6.2 of that Appendix of those rules;”;

(b) in paragraph (a)(iv), after “of those rules” insert “or paragraph ARAP 16.1 of Appendix Afghan Relocation and Assistance Policy of those rules”.

Commencement Information

I4 Reg. 69 in force at 16.2.2023, see [reg. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The Education (Student Fees, Awards and Support) (Amendment) Regulations 2023, Cross Heading: SECTION 2.