

---

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations, which apply in England only, amend various instruments relating to financial support for students.

Part 2 of these Regulations amends the Education (Student Support) Regulations 2011 ([S.I. 2011/1986](#)) (“the Student Support Regulations”).

Part 3 of these Regulations amends seven related sets of Regulations (“the related Regulations”):

- the Education (Fees and Awards) (England) Regulations 2007 ([S.I. 2007/779](#)),
- the Education (Student Support) (European University Institute) Regulations 2010 ([S.I. 2010/447](#)),
- the Further Education Loans Regulations 2012 ([S.I. 2012/1818](#)),
- the Education (Postgraduate Master’s Degree Loans) Regulations 2016 ([S.I. 2016/606](#)),
- the Higher Education (Fee Limit Condition) (England) Regulations 2017 ([S.I. 2017/1189](#)),
- the Education (Postgraduate Doctoral Degree Loans and the Education (Student Loans) (Repayment) (Amendment) (No. 2) etc.) Regulations 2018 ([S.I. 2018/599](#)), and
- the Higher Education Short Course Loans Regulations 2022 ([S.I. 2022/349](#)).

These Regulations come into force on 15th February 2024, however regulation 2 provides that some of the amendments made by these Regulations apply only in relation to new courses (beginning on or after 1st August 2024), or new academic years (beginning on or after 1st August 2024).

Part 2 amends the Student Support Regulations in order to:

- amend the definition of “person granted indefinite leave to remain as a victim of domestic violence or abuse” to align with changes made to the immigration rules, to include persons granted indefinite leave to enter as a result of being a victim of transnational marriage abandonment;
- amend the reference to the relevant paragraph in Appendix Afghan Relocation and Assistance Policy of the immigration rules to describe the way indefinite leave to enter or remain is given under that paragraph;
- remove obsolete references to qualified teacher and learning skills status and related provisions;
- make provision so that children granted indefinite leave to enter or remain on the basis that their parent has been granted indefinite leave to enter or remain as a victim of domestic violence or domestic abuse or indefinite leave to remain as a bereaved partner are eligible for student support on that basis and have the same test of ordinary residence as their parent;
- provide for persons in the student eligibility categories set out in paragraphs 2, 2A and 9BB of Schedule 1 to the Student Support Regulations (which require a student to have settled status) to become eligible for student support when they acquire their settled status during the course of an academic year. The requirement to be settled in the United Kingdom on the first day of the first academic year of the course, or on the course start date as appropriate, is removed and the acquisition of settled status becomes an in-year qualifying event for access to student support for students in these categories;

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- ensure that students who acquire British or Irish citizenship during the course of an academic year do not lose their status as students eligible for financial support;
- provide for students whose leave to remain expires but who are granted further leave to remain or who become British or Irish citizens remain able to access student support for the remainder of their course;
- include termination provisions so that persons who are granted student support under the long residence category but whose leave to enter or remain in the United Kingdom has expired and who have not been granted further leave to remain do not retain their status as students eligible for financial support;
- clarify references to part-time courses in regulations 144 and 157B of those Regulations;
- correct an error in regulation 159(16B) of those Regulations;
- make provision for British citizens of Chagossian descent to access student support;
- substitute new payment rates of financial support for students (the current and new figures are set out in the table in the Schedule).

Part 3 makes corresponding amendments to the related Regulations. These amendments include amendments to the Education (Fee and Awards) (England) Regulations 2007 ([S.I. 2007/779](#)) and the Higher Education (Fee Limit Condition) Regulations 2017 ([S.I. 2017/1189](#)) to provide that students who acquire settled status during the course of an academic year have home fee status and fee caps (for the purpose of charging tuition fees) in that academic year and future years.

Part 4 amends the Higher Education (Fee Limit Condition) (England) Regulations 2017 to remove fee limits from postgraduate initial teacher training courses leading to qualified teacher status. It also amends regulation 2B(2) of the Student Support Regulations 2011 to ensure that students meeting the occupational standard for a learning and skills teacher is a required condition when the Secretary of State is forming a view as to whether a course should be listed as an initial further education teacher training course, rather than the only consideration. Part 4 also revokes legislation and related references relating to mandatory awards, which are now obsolete and makes additional minor amendments.

An impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen.