
STATUTORY INSTRUMENTS

2024 No. 85

The Education (Student Fees, Awards and Support) (Amendment) Regulations 2024

PART 3

Corresponding amendments to other subordinate legislation

CHAPTER 3

The Further Education Loans Regulations 2012

Termination of eligible student status

26. In regulation 3 (eligible students)—

- (a) in paragraph (7)(b), for the words from “has expired” to the end of sub-paragraph (b), substitute—

“has expired and—

- (i) no further leave to remain has been granted;
 - (ii) no appeal is pending (within the meaning of section 104 of the Nationality, Immigration and Asylum Act 2002); and
 - (iii) the person (A or A’s spouse, civil partner, parent or step-parent) whose refugee status has expired has not become a British or Irish citizen,”;
- (b) in paragraphs (7A)(b), (7B)(b) and (8B)(b)(1), after “has been granted” insert “and that person has not become a British or Irish citizen”;
- (c) in paragraph (7C)(b)(2), after “has been granted” insert “and A has not become a British or Irish citizen”;
- (d) in paragraph (8)(b), for the words from “has expired” to the end of sub-paragraph (b), substitute—

“has expired and—

- (i) no further leave to remain has been granted;
- (ii) no appeal is pending (within the meaning of section 104 of the Nationality, Immigration and Asylum Act 2002); and
- (iii) the person (A or A’s spouse, civil partner, parent or step-parent) whose period for which they are allowed to stay in the United Kingdom has expired has not become a British or Irish citizen,”;

(1) Paragraph (7A) was inserted by [S.I. 2018/182](#); paragraph (7B) by [S.I. 2019/142](#) and paragraph (8B) was inserted by [S.I. 2022/534](#) and amended by [S.I. 2023/74](#).

(2) Paragraph (7C) was inserted by [S.I. 2020/48](#).

- (e) in paragraph (8A)(b)(3), after “has expired” insert “and that person has not become a British or Irish citizen”;
 - (f) in paragraph (9)(b)(4), “has been granted under those rules” insert “and A has not become a British or Irish citizen”;
 - (g) in paragraph (10)(b)(5), after “protected rights” insert “and has not become a British or Irish citizen”;
 - (h) after paragraph (10) insert—
 - “(11) Where—
 - (a) the Secretary of State has determined that a person (“A”) is an eligible student by virtue of paragraph 13 of Schedule 1 (long residence) in connection with an application for a fee loan for a designated further education course; and
 - (b) as at the day before the course begins, the period for which A is allowed to stay in the United Kingdom has expired and—
 - (i) no further leave to remain has been granted;
 - (ii) no appeal is pending (within the meaning of section 104 of the Nationality, Immigration and Asylum Act 2002); and
 - (iii) A has not become a British or Irish citizen,
- A’s status as an eligible student terminates immediately before the first day of the course.”.

(3) Paragraph (8A) was inserted by [S.I. 2021/1348](#) and amended by [S.I. 2022/57](#) and [S.I. 2023/74](#).

(4) Paragraph (9) was inserted by [S.I. 2021/127](#).

(5) Paragraph (10) was inserted by [S.I. 2021/127](#) and amended by [S.I. 2021/929](#) and [S.I. 2021/1348](#).