
STATUTORY INSTRUMENTS

2024 No. 85

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

PART 3

Corresponding amendments to other subordinate legislation

CHAPTER 5

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

Children of persons granted indefinite leave to enter or remain as a victim of domestic violence or domestic abuse or as a bereaved partner

44.—(1) In regulation 6 (qualifying person: effect of event during academic year), in paragraph (2)(j) and (l)(1), after “the student” insert “or the student’s parent”.

(2) In the Schedule—

- (a) in the heading to paragraph 5C (persons granted indefinite leave to enter or remain as a victim of domestic violence or domestic abuse), at the end, insert “and their children”;
- (b) paragraph 5C becomes sub-paragraph (1) of that paragraph;
- (c) after that sub-paragraph (1) insert—

“(2) A person—

- (a) granted indefinite leave to enter or remain;
- (b) who—
 - (i) is the child of a person granted indefinite leave to enter or remain as a victim of domestic violence or domestic abuse; and
 - (ii) on the leave application date, was the child of the person granted indefinite leave to enter or remain as a victim of domestic violence or domestic abuse;
- (c) who was under 18 on the leave application date;
- (d) who has been ordinarily resident in the United Kingdom and Islands since the person was granted such leave; and
- (e) who is ordinarily resident in the United Kingdom on the course start date.

(3) In this paragraph, “leave application date” means the date on which a person granted indefinite leave to enter or remain as a victim of domestic violence or domestic abuse made an application to remain in the United Kingdom on those grounds under the immigration rules.”;

(1) Sub-paragraphs (j) and (l) were inserted by [S.I. 2020/48](#). Sub-paragraph (j) was amended by [S.I. 2020/1203](#). Sub-paragraph (l) was amended by [S.I. 2021/1348](#) and [S.I. 2022/534](#).

- (d) in the heading to paragraph 5E(2) (persons granted indefinite leave to remain as a bereaved partner), at the end, insert “and their children”;
- (e) paragraph 5E becomes sub-paragraph (1) of that paragraph;
- (f) after that sub-paragraph (1) insert—
 - “(2) A person—
 - (a) granted indefinite leave to remain;
 - (b) who—
 - (i) is the child of a person granted indefinite leave to remain as a bereaved partner; and
 - (ii) on the leave application date, was the child of the person granted indefinite leave to remain as a bereaved partner;
 - (c) who was under 18 on the leave application date;
 - (d) who has been ordinarily resident in the United Kingdom and Islands since the person was granted such leave; and
 - (e) who is ordinarily resident in the United Kingdom on the course start date.
 - (3) In this paragraph, “leave application date” means the date on which a person granted indefinite leave to remain as a bereaved partner made an application to remain in the United Kingdom on those grounds under the immigration rules.”.