

**2012 No. 3059**

**EDUCATION, ENGLAND**

**The Education (Student Support) (European University Institute)  
Regulations 2010 (Amendment) Regulations 2012**

|                               |         |                           |
|-------------------------------|---------|---------------------------|
| <i>Made</i>                   | - - - - | <i>6th December 2012</i>  |
| <i>Laid before Parliament</i> |         | <i>10th December 2012</i> |
| <i>Coming into force</i>      | - -     | <i>31st December 2012</i> |

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 22, 42(6) and 43(1) of the Teaching and Higher Education Act 1998(a).

**Citation, commencement and application**

1.—(1) These Regulations may be cited as the Education (Student Support) (European University Institute) Regulations 2010 (Amendment) Regulations 2012 and come into force on 31st December 2012.

(2) These Regulations apply in relation to the provision of support to students in relation to an academic year which begins on or after 1st September 2013 whether anything done under these Regulations is done before, on or after 1st September 2013.

(3) These Regulations apply in relation to England(b).

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

2. The Education (Student Support) (European University Institute) Regulations 2010(c) are amended as follows.

3. In regulation 3 (interpretation), in the definition of “relevant date”, for “1st February 2012” substitute “1st February of the calendar year in which the academic year of the current course begins”.

4. In regulation 8(3) (applications)—

- (a) omit “in relation to an academic year beginning on or after 1st September 2012”; and
- (b) for “31st January 2012” substitute “31st January of the calendar year in which the academic year of the current course begins”.

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(a) 1998 c.30. Section 22 was amended by the Learning and Skills Act 2000 (c. 21), section 146 and Schedule 11; the Income Tax (Earnings and Pensions) Act 2003 (c. 1), Schedule 6; the Finance Act 2003 (c. 14), section 147; the Higher Education Act 2004 (c. 8), sections 42, 43 and Schedule 7; the Apprenticeships, Skills, Children and Learning Act 2009 (c. 22), section 257(1) and (2) and the Education Act 2011 (c. 21), section 76(1) and (2).

(b) In relation to Wales, the functions of the Secretary of State under section 22 of the Teaching and Higher Education Act 1998 were transferred to Welsh Ministers under section 44 of the Higher Education Act 2004 except so far as they relate to the making of any provision authorised by subsection 2(a), (c), (j) or (k), 3(e) or (f) or (5) of section 22.

(c) S.I. 2010/447, amended by S.I. 2011/83 and S.I. 2011/2430.

5. In regulation 9(15) (eligible students)—
- (a) omit “, in relation to an academic year beginning on or after 1st September 2012,”;
  - (b) for “30th April 2012” substitute “30th April of the calendar year in which the academic year of the current course begins”; and
  - (c) for “28th February 2013” substitute “28th February of the calendar year after that in which the academic year of the current course begins”.
6. In regulation 10 (designated course), for the full-stop after “institute” substitute—  
“,  
unless it is a course that leads to the award of a master of laws qualification.”.
7. In regulation 11(1) (period of eligibility), after “academic year” insert “prior to that”.
8. In Schedule 1 (eligible students)—
- (a) in paragraph 1(6), omit from “includes” to the end and substitute “means a parent, guardian or any other person having parental responsibility and “child” is to be construed accordingly.”.
  - (b) after paragraph 1(6), insert—  
“(6A) For the purposes of this Schedule, a person is not to be treated as ordinarily resident in a place unless that person lawfully resides in that place.”.

6th December 2012

*David Willetts*  
Minister of State for Universities and Skills  
Department for Business, Innovation and Skills

## EXPLANATORY NOTE

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

These Regulations amend the Education (Student Support) (European University Institute) Regulations 2010 (S.I. 2010/447) (“the 2010 Regulations”). The 2010 Regulations (as amended by S.I. 2011/83 and S.I. 2011/2430) provide support for eligible students taking designated higher education courses at the European University Institute in respect of an academic year beginning on or after 1st September 2011. The amended Regulations will apply in relation to an academic year beginning on or after 1st September 2013.

Regulations 3 to 5 amend the “relevant date”, the deadline for applications and the deadline for receipt of financial information so as to provide for academic years beginning on or after 1st September 2013.

Regulation 6 provides that a course which leads to the award of a master of laws qualification will not be a designated course for the purposes of section 22(1) of the Teaching and Higher Education Act 1998 and regulation 9 of the 2010 Regulations.

Regulation 7 amends regulation 11 of the 2010 Regulations so that the period of eligibility for student support will terminate at the end of the penultimate academic year of the course.

Regulation 8(a) amends the definition of “parent” to ensure it is restricted to parents, guardians and any other person with parental responsibility. Regulation 8(b) inserts a new definition of “ordinarily resident” for the purposes of Schedule 1 to the 2010 Regulations.

An impact assessment has not been produced for this instrument as it has no impact on the costs of business, charities or voluntary bodies. The impact on the public sector is minimal.

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STATUTORY INSTRUMENTS

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