12 March 2019

Dear Principal,

Amendments to the student support regulations for academic year 2019-2020

I am writing to inform you of planned changes to legislation that will take effect from academic year 2019-20.

The Scottish Government has decided to amend the residency criteria in the following instruments providing for student support, from academic year 2019-20 to allow individuals who have received discretionary leave to remain in the UK as victims of modern slavery/human trafficking to access student support and to have the status of ‘home students’ for the purposes of the level of tuition fees charged.

- The Education (Student Loans for Tuition Fees) (Scotland) Regulations 2006
- The Education Authority Bursaries (Scotland) Regulations 2007
- The Education (Student Loans) (Scotland) Regulations 2007
- The Students' Allowances (Scotland) Regulations 2007
- The Nursing and Midwifery Student Allowances (Scotland) Regulations 2007
- The Education Maintenance Allowances (Scotland) Regulations 2007
- The Education (Fees) (Scotland) Regulations 2011
- The Education (Fees and Student Support) (Miscellaneous Amendments) (Scotland) Regulations 2017

On the 1 February 2018, the Scottish Government made a commitment to eligible EU nationals commencing their studies in academic year 2019-20 that they will continue to receive student support. We have therefore also included a provision within these instruments which will
protect the rights of those students and other groups currently eligible to access the student support package in the event of either a ‘deal’ or ‘no deal’ Brexit. The intention of this change is to ensure that all categories of students who are currently entitled to home fee status and student support will continue to be eligible in the event that the UK exits the EU with or without a formal exit deal in place.

The Minister for Further Education, Higher Education and Science has signed the Education (Fees and Student Support) (Miscellaneous Amendments) (EU Exit) (Scotland) Regulations 2019 which were laid in the Scottish Parliament on 20 February 2019.

If you have any questions about these changes and how they are to be applied, please contact me at david.mackay2@gov.scot or by telephone on 0131 244 6881.

Yours sincerely

David Mackay
Policy Manager
Student Support and Participation Team