

SCHEDULE 1

Regulations 5, 6 and 7(1) Regulations
5(1), 6 and 7(1)

PERSONS

PART I

SPECIFIED PERSONS

1. A person –
 - (a) who attends a specified course during an academic year beginning after 31st August 2002; and
 - (b) who has been –
 - (i) resident in the area of a board and ordinarily resident in the British Islands throughout the three years immediately preceding the first year of the specified course; or
 - (ii) in the case of a person entitled to the payment of an award by virtue of regulation 6(5) ordinarily resident in the European Economic Area throughout the three years immediately preceding the first year of the specified course; and
 - (c) to whom an award has not been made under these Regulations or previous awards regulations by the board in respect of the specified course; and
 - (d) who, if he has previously attended a course of higher education, has attended such a course which was provided by a college listed in Part I of Schedule 4.
- Regulations 3(1), 6(1) and 8(1)

PART II

EXCLUDED PERSONS

2. A person who –
 - (a) is not settled in the United Kingdom within the meaning of the Immigration Act 1971(1) at the beginning of the first year of the course in question, unless he is such a person as is mentioned in regulation 6(5);
 - (b) has, in the opinion of the board, by his conduct shown himself unfitted to hold an award;
 - (c) has previously attended a first degree course; or
 - (d) has previously attended one or more courses of higher education, the aggregate duration of which exceeds two academic years (a part-time course being treated as its full-time equivalent).
3. The board shall not be under a duty to make an award to any person in respect of his attendance at any course for the Diploma of Higher Education or course for the Higher Diploma if he has previously attended any other course defined in regulation 2(1).

(1) 1971 c. 77; amended by the British Nationality Act 1981 (c. 61), section 39 and Schedule 4, by the Immigration Act 1988 (c. 14), sections 1, 3, 4, 6 and 10 and the Schedule, by the Asylum and Immigration Appeals Act 1993 (c. 23) sections 10 to 12