



Technical Notice (5) Getting ready for the end of the Transition Period

13 October 2020

Studying in the UK, the EU and Gibraltar

On 31 December 2020, the Transition Period (sometimes also referred to as the “Implementation Period”) under the EU-UK Withdrawal Agreement will come to an end. The end of the Transition Period will bring an end to the current status quo whereby Gibraltar, its citizens and its business, have enjoyed EU rights. Therefore, subject to the outcome of ongoing negotiations concerning the UK and Gibraltar’s future relationship with the EU, the end of the Transition Period will bring about important changes which Gibraltar, as a whole, will need to be ready for.

Purpose.

The purpose of this Notice is to explain what the effect of those changes are on students currently enrolled in higher education programmes, or looking to enrol in higher education programmes after 31 December 2020, in the UK, the EU or Gibraltar.

Existing Position.

Gibraltarian students studying in the UK have a right to reside in the UK by virtue of their UK nationality. Other EU citizens have a right to reside in the UK pursuant to EU rules on the free movement of persons.

EU citizens studying in Gibraltar have a right to reside in Gibraltar in accordance with the same EU rules. EU law also prevents discrimination on the basis of nationality. Therefore, Gibraltarians and other EU citizens studying in the UK have the same rights as UK home students. As such, Gibraltarian students and EU students pay the same



fees as UK home students. The same applies to UK students or students of other EU nationalities studying in Gibraltar.

Specific advice for students currently studying in the UK or the EU or for students who are about to enrol on higher education programmes in either the UK or the EU starting in the 20/21 academic year.

UK nationals studying in the UK.

After 31 December 2020, UK nationals (including Gibraltarians) studying in the UK will continue to have a right to reside in the UK by virtue of their UK nationality. Tuition fees paid with respect to the 20/21 academic year will not change.

EU citizens, recipients of HMGoG Scholarships, studying in the UK.

After 31 December 2020, EU citizens studying in the UK will become third-country nationals vis-à-vis the UK. However, those currently in the UK, or those going to the UK before 31 December 2020, will be covered by the personal scope of the EU-UK Withdrawal Agreement. EU citizens who are recipients of HMGoG Scholarships and are currently studying in the UK will therefore have to apply to the UK's EU Settlement Scheme to be able to continue to live in the UK. Further information on this can be sought from the UK Government's guidance which can be accessed here: "[Studying in the UK: guidance for EU students](#)".

UK nationals, recipients of HMGoG Scholarships, studying in the EU.

The limited number of UK nationals (including Gibraltarians) currently studying in the EU who are recipients of HMGoG Scholarships, or those going to study in an EU Member State ahead of 31 December 2020 who are recipients of HMGoG Scholarship, will also be covered by the personal scope of the EU-UK Withdrawal Agreement.



In order to be able to live, or continue to live in the EU Member State concerned after 31 December 2020, students may need to take proactive steps now to establish their residence status. Individual EU Member States have adopted different procedures with respect to the above and students are encouraged to check the position in their EU Member State of residence as soon as possible. If students require assistance this can be sought from the UK Embassy in the relevant EU Member State. With respect to tuition fees, and since these may change as from the 21/22 academic year for students studying in EU universities, potentially affected students have been asked by HMGoG to provide written confirmation of their fee schedule for their entire programme as a pre-condition to funding being made available.

Specific advice for students currently studying at the University of Gibraltar or for students who are about to enrol on higher education programmes with the University of Gibraltar starting in the 20/21 academic year.

HMGoG will legislate for all foreign students, irrespective of nationality, currently studying at the University of Gibraltar to be able to continue to reside in Gibraltar. With respect to courses started prior to 31 December 2020, the University of Gibraltar will honour the tuition fees quoted at the commencement of the course notwithstanding that courses may end in academic years extending beyond 20/21.

Specific advice for students planning to enrol on higher education programmes in either the UK or the EU after 31 December 2020 in case there is no agreement with respect to UK and Gibraltar's future relationship with the EU by 31 December 2020.

UK nationals intending to study in the UK.

After 31 December 2020, UK nationals (including Gibraltarians) studying in the UK will continue to have a right to reside in the UK by virtue of their UK nationality. With respect to tuition fees, it should be recalled that, following the HMGoG-UK Joint Ministerial Council of 8 March 2018, the UK Government announced that all British



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Citizens resident in Gibraltar would continue to be eligible for higher education home fee status at English Institutions after 31 December 2020.

HMGoG is pursuing similar tuition fee arrangements with the Governments of Scotland, Wales and Northern Ireland for those looking to study in Scottish, Welsh or Northern Irish institutions.

These arrangements will not cover EU citizens resident in Gibraltar.

UK nationals, who intend to apply for HMGoG Scholarships, for the purposes of an intention to study in the EU in future.

In case there is no future agreement between the UK and the EU covering the mobility of students post-31 December 2020, UK nationals (including Gibraltarians) intending to study in an EU Member State in a programme commencing after 31 December 2020 will need to check immigration and residency requirements prior to their arrival in the EU Member State where they intend to study.

With respect to funding for students intending to study in an EU Member State in future, HMGoG has taken a policy decision to cap scholarship grants at the rate of the equivalent entitlement for students proposing to study in the UK. Exemptions will be made for Medical Degrees and other programmes on a case by case basis depending on the circumstances.

Foreign students intending to study at the University of Gibraltar in future.

Even in a case where there is no future agreement between the UK and the EU covering the mobility of students post-31 December 2020, HMGoG will legislate for all foreign students, irrespective of nationality, to be able to reside in Gibraltar. With respect to tuition fees, the University will, at least in the short to medium term and depending on commercial considerations going forwards, apply the same tuition fees to EU nationals as compared to UK nationals.



Implications and Mitigation.

Students (and prospective students) are advised to consider the information in this Technical Notice in detail so that they can plan ahead and make necessary arrangements for every eventuality concerning their studies.

Specific advice for students planning to enrol on higher education programmes in either the UK or the EU after 31 December 2020 if there is an agreement with respect to Gibraltar's future relationship with the EU by 31 December 2020.

UK nationals intending to study in the UK in future.

With respect to UK nationals (including Gibraltarians) intending to study in the UK after 31 December 2020, the guidance outlined above with respect to the position that would apply in case there is no UK-EU Agreement would apply in case there is a UK-EU Agreement. Nothing contained in any future UK-EU Agreement would have an effect on arrangements made between the UK and Gibraltar on matters that are relevant to this Technical Notice.

Students intending to study in the UK, the EU or Gibraltar in future.

It is possible that a future UK-EU Agreement may contain provisions facilitating the mobility of students. The public is aware that negotiations with respect to the above are ongoing. HMGoG will publish further guidance with respect to the implications of any future UK-EU Agreement on higher education if and when an agreement is reached.

Since HMGoG intends to continue to attract EU students to Gibraltar, it is possible that, even in case of an EU-UK Agreement, domestic Gibraltar legislation may unilaterally improve on the content of those potential arrangements.



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Further information

This Notice is meant for guidance only.

Further information can be sought from brexit@gibraltar.gov.gi.