
WELSH STATUTORY INSTRUMENTS

2022 No. 764

The Education (Student Finance) (Ukrainian Nationals and Family Members) (Miscellaneous Amendments) (Wales) Regulations 2022

PART 5

Amendments to the Education (Student Support) (Wales) Regulations 2017

Introduction

18. The Education (Student Support) (Wales) Regulations 2017⁽¹⁾ are amended in accordance with this Part.

Amendment to regulation 2

19. In regulation 2(1), at the appropriate place insert—

““protected Ukrainian national” (*“gwladodyn Wcreinaidd a ddiogelir”*) means a person granted leave to enter or remain in the United Kingdom—

- (a) under paragraph 9.1 (Ukraine Family Scheme), 19.1 (Homes for Ukraine Sponsorship Scheme) or 27.1 (Ukraine Extension Scheme) of Appendix Ukraine Scheme of the immigration rules; or
- (b) outside the immigration rules, where the person—
 - (i) was residing in Ukraine immediately before 1 January 2022; and
 - (ii) left Ukraine in connection with the Russian invasion which took place on 24 February 2022;”.

Amendment to regulation 4

20. In regulation 4—

- (a) in paragraph (2)(a), after “4ZB,” insert “4ZC;”;
- (b) after paragraph (10E) insert—

“(10F) Where—

- (a) the Welsh Ministers have determined that by virtue of being a protected Ukrainian national, a person (“A” in this paragraph) was—
 - (i) an eligible student in connection with an application for support for an earlier year of the present course, an application for support for a course in relation to which the present course is an end-on course or an application for support in connection with a designated part-time course or other

designated course from which A's status as an eligible part-time student or eligible student has been transferred to the present course; or

- (ii) a qualifying student in connection with an application for support for an earlier year of the qualifying course or other qualifying course from which A's status as a qualifying student has been transferred to the qualifying course in respect of which the student is applying for support; and
- (b) as at the day before the academic year in respect of which A is applying for support starts, the period for which A is allowed to stay in the United Kingdom as a protected Ukrainian national has expired and no further leave to enter or remain has been granted,

A's status as an eligible or qualifying student terminates immediately before the first day of the academic year in respect of which A is applying for support.”

Amendment to regulation 15

21. In regulation 15, after paragraph (bb) insert—

“(bc) the student becomes a protected Ukrainian national;”.

Amendment to regulation 23

22. In regulation 23—

(a) in paragraph (12), after sub-paragraph (bb) insert—

“(bc) the student becomes a protected Ukrainian national;”;

(b) omit paragraph (17).

Amendment to regulation 26

23. In regulation 26(1), after “attendance on” insert “or undertaking of”.

Amendment to regulation 27

24. In regulation 27(1), after “attendance on” insert “or undertaking of”.

Amendment of regulation 28

25. In regulation 28(1), after “attendance on” insert “or undertaking of”.

Amendment to regulation 49

26. In regulation 49(2), after sub-paragraph (bb) insert—

“(bc) the student becomes a protected Ukrainian national;”.

Amendment to regulations 81 and 82

27. In regulation 81—

(a) in paragraph (2)(a), after “4ZB,” insert “4ZC,”;

(b) after paragraph (10E) insert—

“(10F) Where—

- (a) the Welsh Ministers determined that, by virtue of being a protected Ukrainian national, a person (“A” in this paragraph) was an eligible part-time student in

connection with an application for support for an earlier year of the present part-time course or an application for support in connection with a designated course or other designated part-time course from which A's status as an eligible part-time student or eligible student has been transferred to the present part-time course; and

- (b) as at the day before the academic year in respect of which A is applying for support begins, the period for which A is allowed to stay in the United Kingdom as a protected Ukrainian national has expired and no further leave to enter or remain has been granted,

A's status as an eligible part-time student terminates immediately before the first day of the academic year in respect of which A is applying for support."

28. In regulation 82(4), after sub-paragraph (bb) insert—

“(bc) the student becomes a protected Ukrainian national;”.

Amendment to regulation 91

29. In regulation 91(1), after “attendance on” insert “or undertaking of”.

Amendment to regulation 92

30. In regulation 92(1), after “attendance on” insert “or undertaking of”.

Amendment to regulation 93

31. In regulation 93(1), after “attendance on” insert “or undertaking of”.

Amendment to regulations 110 and 111

32. In regulation 110—

- (a) in paragraph (3)(a)(i), after “4ZB,” insert “4ZC,”;
- (b) after paragraph (12E) insert—

“(12F) Where—

- (a) the Welsh Ministers have determined that, by virtue of being a protected Ukrainian national, a person (“A” in this paragraph) was an eligible postgraduate student in connection with an application for support for an earlier year of the present postgraduate course or an application for support in connection with another designated postgraduate course, from which A's status as an eligible postgraduate student has been transferred to the present postgraduate course; and
- (b) as at the day before the academic year in respect of which A is applying for support begins, the period for which A is allowed to stay in the United Kingdom as a protected Ukrainian national has expired and no further leave to enter or remain has been granted,

A's status as an eligible postgraduate student terminates immediately before the first day of the academic year in respect of which A is applying for support."

33. After regulation 111(2)(bb) insert—

“(bc) the student becomes a protected Ukrainian national;”.

Amendment to Schedule 1

34. In Schedule 1, after paragraph 4ZB insert—

“Protected Ukrainian nationals

4ZC. A person who—

- (a) is a protected Ukrainian national;
- (b) has been ordinarily resident in the United Kingdom and Islands throughout the period since becoming a protected Ukrainian national; and
- (c) is ordinarily resident in Wales on the first day of the first academic year of the course.”

Amendment to Schedule 4

35. In Schedule 4, paragraph 6, after sub-paragraph (ab) insert—

“(ac) the student becomes a protected Ukrainian national;”.