
WELSH STATUTORY INSTRUMENTS

2022 No. 79

**The Education (Student Finance) (Miscellaneous
Amendments) (Wales) Regulations 2022**

PART 6

Amendments to the Education (Student Support) (Wales) Regulations 2018

CHAPTER 1

Introduction

33. The Education (Student Support) (Wales) Regulations 2018⁽¹⁾ are amended in accordance with this Part.

CHAPTER 2

Eligibility for certain Afghan citizens

Insertion of new regulation 23F (termination of eligibility – relevant Afghan citizen)

34. In regulation 12(1), for “23D or 23E” substitute “23D, 23E or 23F”.

35. After regulation 23E insert—

“**23F.**—(1) This regulation applies where—

- (a) a person (“P”) was an eligible student as a result of being a person with leave to enter or remain as a relevant Afghan citizen (see Schedule 2, paragraph 2ZA) in connection with an application for support—
 - (i) for an earlier year of the present course,
 - (ii) for a full-time course in relation to which the present course is a full-time end-on course, or
 - (iii) for a course from which P’s status as an eligible student has been transferred to the present course under regulation 28 or paragraph 7 of Schedule 5, and
- (b) as at the end of the day before the first day of the academic year in respect of which P is applying for support, the period for which P is allowed to stay in the United Kingdom has expired and no further leave to remain has been granted and no appeal is pending.

(2) Where this regulation applies, P’s status as an eligible student terminates immediately before the first day of the academic year in respect of which P is applying for support.”

⁽¹⁾ S.I. 2018/191 (W. 42), amended by S.I. 2018/813 (W. 164); S.I. 2018/814 (W. 165); S.I. 2019/235 (W. 54); S.I. 2019/1094; S.I. 2019/1192 (W. 209); S.I. 2020/142 (W. 25); S.I. 2020/153 (W. 27); S.I. 2020/708 (W. 159); S.I. 2020/1302 (W. 287); S.I. 2021/9 (W. 4); S.I. 2021/73 (W. 19); S.I. 2021/481 (W. 148); S.I. 2021/813 (W. 192) and S.I. 2021/1365 (W. 360).

Amendment to regulation 80 (qualifying for a tuition fee loan during the academic year)

36. In regulation 80—

(a) after paragraph (2)(b)(ib) insert—

“(ic) the student becomes a person with leave to enter or remain as a relevant Afghan citizen;”;

(b) in paragraph (3), at the appropriate place insert “person with leave to enter or remain as a relevant Afghan citizen”.

Amendment to regulation 81 (qualifying for grants or maintenance loan during the academic year)

37. In regulation 81(3)(b), after paragraph (ib) insert—

“(ic) the student becomes a person with leave to enter or remain as a relevant Afghan citizen;”.

Amendments to Schedule 2 (categories of eligible student)

38. In Schedule 2, in paragraph 2ZA—

(a) in sub-paragraph (4)(b)—

(i) in sub-paragraph (iii), omit the terminal “or” and after sub-paragraph (iv) insert “or”;

(ii) after sub-paragraph (iv) insert—

“(v) a person with leave to enter or remain as a relevant Afghan citizen;”;

(b) after sub-paragraph (4)(e) insert—

“(ea) “person with leave to enter or remain as a relevant Afghan citizen” means a person granted—

(i) indefinite leave to enter the United Kingdom under paragraph 276BA2 of the immigration rules, indefinite leave to remain in the United Kingdom under paragraph 276BS2 of the immigration rules or leave to enter or indefinite leave to enter the United Kingdom under paragraph 276BJ2 or 276BO2 of the immigration rules,

(ii) leave to enter or indefinite leave to enter or remain in the United Kingdom outside the immigration rules on the basis of the Afghan Relocations and Assistance Policy Scheme,

(iii) indefinite leave to enter or remain in the United Kingdom outside the immigration rules on the basis of the Afghan Citizens Resettlement Scheme, or

(iv) indefinite leave to enter or remain in the United Kingdom outside the immigration rules as the spouse, civil partner or dependent child of a person falling into paragraph (iii) or dependent child of such a spouse or civil partner.”.

Amendments to Schedule 4 (disabled postgraduate student’s grant)

39. In Schedule 4—

(a) after paragraph 13E insert—

“13F.—(1) This paragraph applies where—

- (a) a person (“P”) was an eligible postgraduate student by reason of them being a person with leave to enter or remain as a relevant Afghan citizen (see Schedule 2, paragraph 2ZA) in connection with an application for disabled postgraduate student’s grant—
 - (i) for an earlier year of the present postgraduate course, or
 - (ii) in connection with a course from which P’s status as an eligible postgraduate student has been transferred to the present postgraduate course under paragraph 15, and
 - (b) as at the end of the day before the first day of the academic year in respect of which P is applying for a disabled postgraduate student’s grant, the period for which P is allowed to stay in the United Kingdom has expired and no further leave to remain has been granted and no appeal is pending.
- (2) Where this paragraph applies, P’s status as an eligible student terminates immediately before the first day of the academic year in respect of which P is applying for support.”;
- (b) after paragraph 14(3)(b)(ib) insert—
 - “(ic) the student becomes a person with leave to enter or remain as a relevant Afghan citizen.”;
 - (c) in paragraph 14(4), at the appropriate place insert “person with leave to enter or remain as a relevant Afghan citizen” (“*person sydd â chaniatâd i ddod i mewn neu i aros fel dinesydd perthnasol o Affganistan*”).”.

Amendment to Schedule 5 (Oxbridge college fee loans)

- 40.** In Schedule 5, paragraph 4—
- (a) after sub-paragraph (2)(ab) insert—
 - “(ac) the student becomes a person with leave to enter or remain as a relevant Afghan citizen.”;
 - (b) in sub-paragraph (3), at the appropriate place insert “person with leave to enter or remain as a relevant Afghan citizen” (“*person sydd â chaniatâd i ddod i mewn neu i aros fel dinesydd perthnasol o Affganistan*”).”.

Amendment to Schedule 7 (index of defined terms)

- 41.** In Schedule 7, in Table 16, at the appropriate place insert—

““person with leave to enter or remain as Schedule 2, paragraph 2ZA”
a relevant Afghan citizen”

CHAPTER 3

Amendments relating to financial support

Amendments to regulation 55 (amount of maintenance loan: full-time students)

- 42.** In regulation 55, Table 7 is amended as follows—
- (a) in column 1, after “Beginning on or after 1 September 2021” insert “but before 1 September 2022”;
 - (b) at the end of the Table add the following entry—

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

“Beginning on or after 1 September 2022	Category 1	Living at home	£8,095
		Living away from home, studying in London	£12,375
		Living away from home, studying elsewhere	£9,710
	Category 2	Living at home	£4,045
		Living away from home, studying in London	£6,185
		Living away from home, studying elsewhere	£4,855”

Amendments to regulation 56 (amount of maintenance loan: full-time students who qualify for special support payment)

43. In regulation 56—

(a) Table 8 is amended as follows—

(i) in column 1, after “Beginning on or after 1 September 2021” insert “but before 1 September 2022”;

(ii) at the end of the Table add the following entry—

“Beginning on or after 1 September 2022	Living at home	£9,095
	Living away from home, studying in London	£13,375
	Living away from home, studying elsewhere	£10,710”

(b) Table 8A is amended as follows—

(i) in column 1, after “Beginning on or after 1 September 2021” insert “but before 1 September 2022”;

(ii) at the end of the Table add the following entry—

“Beginning on or after 1 September 2022	Living at home	£4,045
	Living away from home, studying in London	£6,185
	Living away from home, studying elsewhere	£4,855”

Amendments to regulation 57 (increased maintenance loan for full-time students in extended years)

44. In regulation 57, Table 9 is amended as follows—

(a) in column 1, after “Beginning on or after 1 September 2021” insert “but before 1 September 2022”;

(b) at the end of the Table add the following entry—

“Beginning on or after 1 September 2022	Living at home	£91
	Living away from home, studying in London	£176
	Living away from home, studying elsewhere	£138”

Amendments to regulation 58 (amount of maintenance loan: part-time students)

45. In regulation 58, Table 10 is amended as follows—

- (a) in column 1, after “Beginning on or after 1 September 2021” insert “but before 1 September 2022”;
- (b) at the end of the Table add the following entry—

“Beginning on or after 1 September 2022	£6,905 multiplied by the intensity of study”
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Amendments to regulation 58A (amount of maintenance loan: part-time students who qualify for special support payment)

46. In regulation 58A, Table 10A is amended as follows—

- (a) in column 1, after “Beginning on or after 1 September 2021” insert “but before 1 September 2022”;
- (b) at the end of the Table add the following entry—

“Beginning on or after 1 September 2022	£7,905 multiplied by the intensity of study”
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Amendment to regulation 63 (amount of disabled student’s grant)

47. In regulation 63(2), in Case 1, for “£31,831” substitute “£32,546”.

Amendment to regulation 72 (maximum amount of adult dependants grant)

48. In regulation 72, Table 11 is amended as follows—

- (a) in column 1, after “Beginning on or after 1 September 2021” insert “but before 1 September 2022”;
- (b) at the end of the Table add the following entry—

“Beginning on or after 1 September 2022	£3,262”
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Amendments to regulation 74 (maximum amount of parents’ learning grant)

49. In regulation 74, Table 12 is amended as follows—

- (a) in column 1, after “Beginning on or after 1 September 2021” insert “but before 1 September 2022”;
- (b) at the end of the Table add the following entry—

“Beginning on or after 1 September 2022	£1,862”
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Amendments to regulation 76 (maximum amount of childcare grant)

50. In regulation 76—

(a) Table 13 is amended as follows—

- (i) in column 1, after “Beginning on or after 1 September 2021” insert “but before 1 September 2022”;

(ii) at the end of the Table add the following entry—

“Beginning on or after 1 September 2022	One dependent child	£184
	More than one dependent child	£315”

(b) in paragraph (4), for “£138.31” substitute “£141”.

Amendment to Schedule 4 (disabled postgraduate student’s grant)

51. In Schedule 4, in paragraph 20(2), in Case 1, for “£31,831” substitute “£32,546”.

CHAPTER 4

Amendment to the definition of “Erasmus year”

Amendment to Schedule 1 (interpretation)

52. In Schedule 1, in paragraph 4, for sub-paragraph (3) substitute—

“(3) In sub-paragraph (1), “ERASMUS scheme” means—

- (a) the European Union’s action scheme for the mobility of university students,
- (b) the scheme established by the Secretary of State for Education known as the Turing Scheme, or
- (c) the scheme established by the Welsh Ministers known as the International Learning Exchange Programme.”

CHAPTER 5

EU Settlement Scheme

Amendments to regulation 23E (persons who cease to have leave to remain under residence scheme immigration rules)

53. In regulation 23E(a)—

- (a) in sub-paragraph (i), omit “(iii),”;
- (b) in sub-paragraph (ii), omit “(iii) or”.

Amendments to Schedule 1 (interpretation)

54. In Schedule 1, paragraph 6—

- (a) omit the definition of “grace period”;
- (b) in the definition of “person with protected rights”, omit paragraph (1)(a)(iii).

Amendment to Schedule 2 (categories of eligible student)

55. In Schedule 2, omit paragraph 1(2)(a)(iii).

Amendment to Schedule 4 (disabled Postgraduate Student’s Grant)

56. In Schedule 4, in paragraph 13E(a)—

- (a) in paragraph (i), omit “(iii),”;

(b) in paragraph (ii), omit “(iii) or”.

Amendment to Schedule 7 (index of defined terms)

57. In Schedule 7, in Table 16, omit the table entry for “grace period”.

CHAPTER 6

Disabled Postgraduate Student’s Grant – amendments relating to social care work

58. In Schedule 4, in paragraph 5(1), in Exception 2, after “the Regulation and Inspection of Social Care (Wales) Act 2016” insert “where the designated postgraduate course begins before 1 August 2022”.