
WELSH STATUTORY INSTRUMENTS

2000 No. 3384

The Individual Learning Accounts (Wales) Regulations 2000

Meaning of Eligible Person

3.—(1) For the purposes of these Regulations a person is an eligible person if that person satisfies the conditions contained in paragraphs (2) to (4) below at the date of registration.

(2) The first condition is that the person has attained the age of 18 at the date of registration.

(3) The second condition is that the person—

- (a) is a British citizen;
- (b) is settled in the United Kingdom within the meaning of section 33(2A) of the Immigration Act 1971⁽¹⁾;
- (c) is a refugee, ordinarily resident in the United Kingdom who has not ceased to be so resident since that person was recognised as a refugee, or who is the spouse, child, or stepchild of such a refugee;
- (d) is a person who—
 - (i) has been informed by a person acting under the authority of the Secretary of State for the Home Department that, although that person is considered not to qualify for recognition as a refugee, it is thought right to allow that person to remain in the United Kingdom,
 - (ii) has been granted leave to enter or remain accordingly; and
 - (iii) has been ordinarily resident in the United Kingdom throughout the period since that person was granted leave to enter or remain,or who is the spouse, child or stepchild of such a person; or

(e) is a person not falling within paragraphs (2) to (d) but is a national of a member state of the European Economic Area who is working in the United Kingdom or the spouse, child or stepchild of such a person.

(4) The third condition is that at the time of registration the person was either

- (a) resident in Wales or
- (b) temporarily resident outside Wales but ordinarily resident in Wales (unless regulation 9 applies).

(5) For the purposes of paragraph (4) a person is resident in Wales if that person is temporarily or permanently resident there.

⁽¹⁾ 1971 c. 77; amended, and subsection (2A) inserted, by The British Nationality Act 1981 (c. 61), section 39 and Schedule 4.