
WELSH STATUTORY INSTRUMENTS

2003 No. 918

The Individual Learning Accounts Wales Regulations 2003

Meaning of Eligible Person

4.—(1) For the purposes of these Regulations a person is an eligible person if that person, at the date of registration, satisfies the conditions contained in paragraphs (2) to (5) below.

- (2) The first condition is that the person has attained the age of 18.
- (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 (a) 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 the person is either —
 - (a) resident in Wales, or
 - (b) temporarily resident outside Wales but ordinarily resident in Wales (unless regulation 10 applies).
- (5) The fourth condition is that the person has not attained a level of educational qualification above Level 2 or equivalent as set out in the national qualifications framework ⁽²⁾.

(1) 1971 c. 77; amended, and subsection (2A) inserted, by The British Nationality Act 1981 (c. 61), section 39 and Schedule 4.
(2) In accordance with the regulatory authorities' functions in respect of external qualifications and with national policy, the national qualifications framework is published jointly by the Qualifications, Curriculum and Assessment Authority for Wales, the Qualifications and Curriculum Authority (England) and the Council for Curriculum, Examinations and Assessment (Northern Ireland). Qualifications are listed by category and level. The framework may be accessed on www.accac.org.uk.