

WELSH STATUTORY INSTRUMENTS

2014 No. 3037

The Education (European University Institute) (Wales) Regulations 2014

PART 1

GENERAL

Title, commencement, application and interpretation

1. The title of these Regulations is the Education (European University Institute) (Wales) Regulations 2014 and they come into force on 5 December 2014.
2. These Regulations apply in relation to Wales.

Commencement Information

- I1** [Reg. 1](#) in force at 5.12.2014, see [reg. 1](#)
I2 [Reg. 2](#) in force at 5.12.2014, see [reg. 1](#)

3.—^[F1](1) In these Regulations—

“1998 Act” (“*Deddf 1998*”) means the Teaching and Higher Education Act 1998;

^[F2]“2020 Citizens’ Rights Regulations” (“*Rheoliadau Hawliau Dinasyddion 2020*”) means the Citizens’ Rights (Application Deadline and Temporary Protection) (EU Exit) Regulations 2020;

“academic authority” (“*awdurdod academaidd*”) means in, relation to the Institute, the governing body or other body having the functions of a governing body and includes a person acting with the authority of that body;

“current course” (“*cwrs cyfredol*”) means the designated course in respect of which a person is applying for support or to be recognised as an eligible student;

“electronic signature” (“*llofnod electronig*”) is so much of anything in electronic form as—

- (a) is incorporated into or otherwise logically associated with any electronic communication or electronic data; and
- (b) purports to be so incorporated or associated for the purpose of being used in establishing the authenticity of the communication or data, the integrity of the communication or data, or both;

“eligible student” (“*myfyriwr cymwys*”) has the meaning given by regulation 6;

“European Union” (“*Undeb Ewropeaidd*”) means the territory comprised by the Member States of the European Union as constituted from time to time;

“grants for living and other costs” (“*grantiau at gostau byw a chostau eraill*”) means the grants payable under regulation 15;

[^{F3}“immigration rules” (*“rheolau mewnfudo”*)] means the rules laid before Parliament by the Secretary of State under section 3(2) of the Immigration Act 1971;]

“the Institute” (*“yr Athrofa”*) means the European University Institute;

[^{F4}“Islands” (*“Ynysoedd”*)] means the Channel Islands and the Isle of Man;]

[^{F2}“person granted leave to remain as a protected partner” (*“person y rhoddwyd caniatâd iddo aros fel partner a ddiogelir”*)] means a person who has extant leave to remain in the United Kingdom as either a victim of domestic violence or domestic abuse or as a bereaved partner under any of the following provisions of the immigration rules—

- (a) [^{F5}paragraphs 289B and 289D] (victims of domestic violence);
- (b) paragraphs D-DVILR.1.1 and D-DVILR.1.2 of Appendix FM (victims of domestic abuse);
- (c) paragraphs 40 and 41 of Appendix Armed Forces (victims of domestic violence who are partners of members of the armed forces);
- (d) paragraph 288, as a person in relation to whom the requirements in paragraph 287(b) of those rules are met (bereaved spouses or civil partners);
- (e) paragraphs D-BPILR.1.1 and D-BPILR.1.2 of Appendix FM (bereaved partners);
- (f) paragraphs 36 and 37 of Appendix Armed Forces (bereaved partners); or
- (g) paragraph 295N, as a person in relation to whom the requirements in paragraph 295M of those rules are met (bereaved unmarried or same sex partners);]

[^{F3}“person granted stateless leave” (*“person y rhoddwyd caniatâd iddo aros fel person diwladwriaeth”*)] means a person who—

- (a) has extant leave to remain as a stateless person under the immigration rules; and
- (b) has been ordinarily resident in the United Kingdom and Islands throughout the period since the person was granted such leave;]

[^{F2}“person with Calais leave” (*“person sydd â chaniatâd Calais”*)] means a person with extant leave to remain under paragraphs 352J, 352K, 352L or 352T of the immigration rules (Calais leave and “leave in line” granted by virtue of being a dependent child of a person granted Calais leave);]

“person with leave to enter or remain” (*“person sydd â chaniatâd i ddod i mewn neu i aros”*) means a person (“A” in this definition)—

- (a) [^{F6}who has—
 - (i) applied for refugee status but has, as a result of that application, been informed in writing by a person acting under the authority of the Secretary of State for the Home Department that, although A is considered not to qualify for recognition as a refugee, it is thought right to allow A to enter or remain in the United Kingdom on the grounds of ^{F7}... discretionary leave, and who has been granted leave to enter or remain accordingly;
 - (ii) not applied for refugee status but has been informed in writing by a person acting under the authority of the Secretary of State for the Home Department that it is thought right to allow A to enter or remain in the United Kingdom on the grounds of discretionary leave, and who has been granted leave to enter or remain accordingly;
 - (iia) [^{F8}been granted leave to remain on the grounds of family life under the immigration rules;]
 - (iv) been granted leave to remain on the grounds of private life under the immigration rules; or

- (v) been informed in writing by a person acting under the authority of the Secretary of State for the Home Department that, although A is not considered to qualify for leave to remain on the grounds of private ^{F9}or family] life under the immigration rules, A has been granted leave to remain outside the rules on the grounds of Article 8 of the European Convention on Human Rights;]
- (b) whose period of leave to enter or remain has not expired or has been renewed and the period for which it was renewed has not expired or in respect of whose leave to enter or remain an appeal is pending (within the meaning of section 104 of the Nationality, Immigration and Asylum Act 2002); and
- (c) who has been ordinarily resident in the United Kingdom and Islands throughout the period since A was granted leave to enter or remain;

^{F10}“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*”) means a person granted—

- (a) ^{F11}indefinite leave to enter the United Kingdom under paragraph 276BA2 of the immigration rules or indefinite leave to remain in the United Kingdom under paragraph 276BS2 of the immigration rules;]
- (aa) ^{F12}leave to enter or indefinite leave to enter the United Kingdom under paragraph 276BJ2 or 276BO2 of the immigration rules or paragraph ARAP 16.1 of Appendix Afghan Relocation and Assistance Policy to the immigration rules;]
- (ab) ^{F12}indefinite leave to enter the United Kingdom under paragraph ARAP 6.1 of Appendix Afghan Relocation and Assistance Policy to the immigration rules or indefinite leave to remain in the United Kingdom under paragraph ARAP 6.2 of that Appendix to the immigration rules;]
- (b) 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; ^{F13}or]
- (c) indefinite leave to enter or remain in the United Kingdom outside the immigration rules on the basis of the Afghan Citizens Resettlement Scheme; ^{F14}...
- (d) ^{F14}...]

^{F2}“person with protected rights” (“*person sydd â hawliau gwarchoddedig*”) means—

- (1) —
 - (a) a person within the personal scope of the citizens’ rights provisions who—
 - (i) has leave to enter or remain in the United Kingdom granted by virtue of residence scheme immigration rules;
 - (ii) is an Irish citizen who, pursuant to section 3ZA of the Immigration Act 1971, does not require leave to enter or remain in the United Kingdom;
 - (iii) is an applicant for the purposes of regulation 4 of the 2020 Citizens’ Rights Regulations where the relevant period has not expired; or
 - (iv) otherwise has rights deemed to apply by virtue of any citizens’ rights deeming provisions; or
 - (b) a family member of a relevant person of Northern Ireland for the purposes of residence scheme immigration rules, where that family member has leave to enter or remain in the United Kingdom granted by virtue of residence scheme immigration rules.

- (2) In paragraph (1)(a)(iv), “citizens’ rights deeming provisions” means—
- (a) Article 18(2) and (3) (issuance of residence documents) of the EU withdrawal agreement;
 - (b) Article 17(2) and (3) (issuance of residence documents) of the EEA EFTA separation agreement (as defined in section 39(1) of the European Union (Withdrawal Agreement) Act 2020); or
 - (c) Article 16(2) and (3) (issuance of residence documents) of the Swiss citizens’ rights agreement;]

[^{F15}“person with section 67 leave to remain” (“*person sydd â chaniatâd i aros o dan adran 67*”) means a person who—

- (a) has extant leave to remain in the United Kingdom under section 67 of the Immigration Act 2016 and in accordance with the immigration rules; and
- (b) has been ordinarily resident in the United Kingdom and Islands throughout the period since the person was granted such leave;]

[^{F16}“protected Ukrainian national” (“*gwladolyn 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;]

“qualifying course” (“*cwrs cymwys*”) means a course—

- (a) which is—
 - (i) a postgraduate or comparable course; and
 - (ii) of at least two academic years’ duration; and
- (b) in respect of which the student received, for at least two academic years of the course, a statutory award other than an award intended to assist with additional expenditure that the student was obliged to incur in connection with attendance on the course by reason of a disability to which the student is or was subject;

“refugee” (“*ffoadur*”) means a person who is recognised by Her Majesty’s government as a refugee within the meaning of the United Nations Convention relating to the Status of Refugees done at Geneva on 28 July 1951(1) as extended by the Protocol thereto which entered into force on 4 October 1967(2);

“relevant date” (“*dyddiad perthnasol*”) means 1 February of the calendar year in which the academic year of the current course begins;

[^{F2}“relevant period” (“*cyfnod perthnasol*”) has the meaning given by regulation 4 of the 2020 Citizens’ Rights Regulations;]

[^{F2}“relevant person of Northern Ireland” (“*person perthnasol o Ogledd Iwerddon*”) has the meaning given by residence scheme immigration rules;]

(1) Cmnd. 9171.

(2) Cmnd. 3906 (out of print; photocopies are available, free of charge, from the Student Support Division, Department for Business, Innovation and Skills, Mowden Hall, Staindrop Road, Darlington DL3 9BG).

[^{F2}“residence scheme immigration rules” (“*rheolau mewnfudo'r cynllun preswyllo*“) has the meaning given by section 17(1) of the European Union (Withdrawal Agreement) Act 2020;] “statutory award” (“*dyfarniad statudol*“) means any award bestowed, grant paid or other support provided by virtue of the 1998 Act or the Education Act 1962(3), or any comparable award, grant or other support in respect of undertaking a course which is paid out of public funds;

“student loans legislation” (“*y ddeddfwriaeth ar fenthyciadau i fyfyrwyr*“) means the Education (Student Loans) Act 1990(4), the Education (Student Loans) (Northern Ireland) Order 1990(5), the Education (Scotland) Act 1980(6) and regulations made thereunder, the Education (Student Support) (Northern Ireland) Order 1998(7) and regulations made thereunder or the 1998 Act and regulations made thereunder;

“supplementary grants” (“*grantiau atodol*“) means the grants payable under Chapter 2 of Part 4.

[^{F2}“Swiss citizens’ rights agreement” (“*cytundeb ar hawliau dinasyddion Swisaidd*“) has the meaning given by section 39(1) of the European Union (Withdrawal Agreement) Act 2020;]

[^{F17}(2) For the purposes of these Regulations, a person is within the personal scope of the citizens’ rights provisions if that person falls within—

- (a) Article 10 (personal scope) of the EU withdrawal agreement;
- (b) Article 9 (personal scope) of the EEA EFTA separation agreement (as defined in section 39(1) of the European Union (Withdrawal Agreement) Act 2020); or
- (c) Article 10 (personal scope) of the Swiss citizens’ rights agreement.]

Textual Amendments

- F1** Reg. 3 renumbered as [Reg. 3\(1\)](#) (31.12.2021) by [The Education \(European University Institute\) \(Wales\) \(Amendment\) \(EU Exit\) Regulations 2021](#) (S.I. 2021/1294), regs. 1(2), **4(a)**
- F2** Words in [reg. 3\(1\)](#) inserted (31.12.2021) by [The Education \(European University Institute\) \(Wales\) \(Amendment\) \(EU Exit\) Regulations 2021](#) (S.I. 2021/1294), regs. 1(2), **4(b)**
- F3** Words in [reg. 3](#) inserted (30.7.2018) by [The Education \(Student Finance\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2018](#) (S.I. 2018/814), regs. 1(2), **43(a)**
- F4** Words in [reg. 3](#) inserted (8.3.2019) by [The Education \(Student Finance\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2019](#) (S.I. 2019/235), regs. 1(2), **8(a)**
- F5** Words in [reg. 3](#) substituted (11.2.2022) by [The Education \(Eligibility for Student Support\) \(Amendment\) \(Wales\) Regulations 2022](#) (S.I. 2022/49), regs. 2, **5** (with [reg. 3](#))
- F6** Words in [reg. 3](#) substituted (30.7.2018) by [The Education \(Student Finance\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2018](#) (S.I. 2018/814), regs. 1(2), **43(b)**
- F7** Words in [reg. 3](#) omitted (28.1.2021) by virtue of [The Education \(Student Fees, Awards and Support\) \(Ordinary Residence\) \(Wales\) Regulations 2021](#) (S.I. 2021/9), regs. 1(2), **6**

- (3) [1962 c. 12](#); sections 1 to 4 and Schedule 1 were substituted by the provisions set out in Schedule 5 to the Education Act 1980 ([c. 20](#)). Section 1(3)(d) was amended by section 4 of the Education (Grants and Awards) Act 1984 ([c. 11](#)). Section 4 was amended by paragraph 2 of Schedule 2 to the Education Act 1994 ([c. 30](#)). The entire Act was repealed by section 44(2) of and Schedule 4 to the Teaching and Higher Education Act 1998 ([c. 30](#)), subject to the transitional provisions and savings set out in article 3 of the Teaching and Higher Education Act 1998 (Commencement No. 4 and Transitional Provisions) Order 1998 (S.I. 1998/3237) and [S.I. 2010/1158](#) Schedule 4, paragraph 5.
- (4) [1990 c. 6](#); repealed by Schedule 4 to the Teaching and Higher Education Act 1998 ([c. 30](#)).
- (5) [S.I. 1990/1506](#) (N.I. 11); amended by [S.I. 1996/274](#) (N.I. 1), Article 43 and Schedule 5 Part II, [S.I. 1996/1918](#) (N.I. 15), Article 3 and the Schedule and [S.I. 1998/258](#) (N.I. 1), Articles 3 to 5 and revoked, with savings, by [S.R. \(N.I.\) 1998 No. 306](#).
- (6) [1980 c. 44](#); the functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 ([c. 46](#)).
- (7) [S.I. 1998/1760](#) (N.I. 14), to which there have been amendments not relevant to these Regulations.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Education (European University Institute) (Wales) Regulations 2014. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- F8** Words in reg. 3 inserted (9.9.2019) by The Education (Student Finance) (Amendments to Student Eligibility) (Wales) Regulations 2019 (S.I. 2019/1192), regs. 1(2), **3(2)(a)**
- F9** Words in reg. 3 inserted (9.9.2019) by The Education (Student Finance) (Amendments to Student Eligibility) (Wales) Regulations 2019 (S.I. 2019/1192), regs. 1(2), **3(2)(b)**
- F10** Words in reg. 3 inserted (23.2.2022) by The Education (Student Finance) (Miscellaneous Amendments) (Wales) Regulations 2022 (S.I. 2022/79), regs. 1(2), **7** (with reg. 2)
- F11** Words in reg. 3(1) substituted (4.1.2024) by The Education (Student Finance) (Miscellaneous Amendments) (No. 3) (Wales) Regulations 2023 (S.I. 2023/1349), regs. 1(2), **9(a)**
- F12** Words in reg. 3(1) inserted (4.1.2024) by The Education (Student Finance) (Miscellaneous Amendments) (No. 3) (Wales) Regulations 2023 (S.I. 2023/1349), regs. 1(2), **9(b)**; and paragraph (aa) omitted (with application in accordance with reg. 2 of the amending S.I.) by virtue of The Education (Student Finance) (Miscellaneous Amendments) (No. 3) (Wales) Regulations 2023 (S.I. 2023/1349), regs. 1(2), **10(a)** (with reg. 79(2))
- F13** Word in reg. 3(1) inserted (with application in accordance with reg. 2 of the amending S.I.) by The Education (Student Finance) (Miscellaneous Amendments) (No. 3) (Wales) Regulations 2023 (S.I. 2023/1349), regs. 1(2), **10(b)** (with reg. 79(2))
- F14** Words in reg. 3(1) omitted (with application in accordance with reg. 2 of the amending S.I.) by virtue of The Education (Student Finance) (Miscellaneous Amendments) (No. 3) (Wales) Regulations 2023 (S.I. 2023/1349), regs. 1(2), **10(c)** (with reg. 79(2))
- F15** Words in reg. 3 inserted (with application in accordance with reg. 1(3)(b) of the amending S.I.) by The Education (Student Finance) (Miscellaneous Amendments) (Wales) Regulations 2019 (S.I. 2019/235), regs. 1(3)(a), **8(b)**
- F16** Words in reg. 3(1) inserted (with application in accordance with reg. 3 of the amending S.I.) by The Education (Student Finance) (Ukrainian Nationals and Family Members) (Miscellaneous Amendments) (Wales) Regulations 2022 (S.I. 2022/764), regs. 2, **12**
- F17** Reg. 3(2) inserted (31.12.2021) by The Education (European University Institute) (Wales) (Amendment) (EU Exit) Regulations 2021 (S.I. 2021/1294), regs. 1(2), **4(c)**

Commencement Information

- I3** Reg. 3 in force at 5.12.2014, see **reg. 1**

Revocation

4. The following Regulations are revoked on 5 December 2014—
- (a) The Assembly Learning Grants (European University Institute) (Wales) Regulations 2009(**8**);
 - (b) the Assembly Learning Grants (European University Institute) (Wales) (Amendment) Regulations 2010(**9**).

Commencement Information

- I4** Reg. 4 in force at 5.12.2014, see **reg. 1**

(8) S.I. 2009/3359 (W. 295) as amended by S.I. 2011/1978 (W. 218).

(9) S.I. 2010/1797 (W. 173).

PART 2

APPLYING FOR SUPPORT AND ELIGIBILITY

Applications

5.—(1) Unless a person seeking support under these Regulations is already an eligible student by virtue of regulation 6(8), that person must submit an application to be considered as an eligible student and an application for support in such form as the Welsh Ministers may require to the Institute by the application deadline.

(2) Where a person (“A” in this paragraph) seeking support under these Regulations is already an eligible student by virtue of regulation 6(8), A must notify the Welsh Ministers in writing by the application deadline that A wishes to apply for support under these Regulations.

(3) Subject to paragraph (4), the application deadline is 31 January of the calendar year in which the academic year of the current course begins.

(4) The Welsh Ministers may extend the application deadline if they consider that the circumstances of the case warrant it.

Commencement Information

I5 Reg. 5 in force at 5.12.2014, see [reg. 1](#)

Eligible students

6.—(1) An eligible student qualifies for financial support in connection with attendance on a designated course subject to and in accordance with these Regulations.

(2) Subject to [F18 paragraphs (2B) and] (3), a person is an eligible student in connection with a designated course at the Institute if—

- (a) the academic authority notifies the Welsh Ministers in writing that the person has a reasonable chance of being offered a place on that course by the academic authority; and
- [F19](b) the Welsh Ministers determine in connection with an application for support under these Regulations that the person falls within one of the categories set out—

(i) [F20 in paragraphs 2, F21 ... 3, 4, 4ZA, 4ZB, 4ZC, 5, 6A, 8A, F21 ... 9B, F21 ... 10A, 11A and 12A of Part 2 of Schedule 1, or]

(ii) [F22 in paragraphs 6, 7, 8, F23 ... 10, 11 and 12 of Part 2 of Schedule 1, where paragraph (2A) applies.]

(2A) This paragraph applies where—

- (a) in connection with a designated course beginning before 1 September 2022, the Welsh Ministers, in assessing an application for support by a person (“A”), determined that A fell within one of the categories set out in paragraphs 6, 7, 8, F24 ... 10, 11 and 12 in Part 2 of Schedule 1 in relation to an academic year of the course beginning before 1 September 2022; and
- (b) A applies for support in connection with that course, or a designated course to which A’s status as an eligible student is transferred from that course in accordance with this Part.

(2B) In connection with a designated course beginning on or after 1 January 2028, paragraph (2) (b) has effect as if it did not mention paragraphs [F25 8A and 9B].]

(3) A person (“A” in this paragraph) is not an eligible student if—

- (a) subject to paragraph (4), A has attended a qualifying course;
- (b) A is in breach of an obligation to repay any loan;
- (c) A has reached the age of 18 and not ratified any agreement for a loan made with A when A was under the age of 18; or
- (d) A has, in the opinion of the Welsh Ministers, shown by A's conduct that A is unfitted to receive support.

(4) Paragraph (3)(a) does not apply where the person has attended a qualifying course but the Welsh Ministers have determined that having regard to the particular circumstances of that person's case it is appropriate to pay that person support in connection with the current course.

(5) For the purposes of paragraph (3)(b) and (c), "loan" (*"benthyciad"*) means a loan made under the student loans legislation.

(6) In a case where the agreement for a loan is subject to the law of Scotland, paragraph (3)(c) only applies if the agreement was made—

- (a) before 25 September 1991; and
- (b) with the concurrence of the borrower's curator or at a time when the borrower had no curator.

(7) An eligible student in respect of whom the first academic year of the course begins on or after 1 September 2000 does not, at any one time, qualify for support for more than one designated course.

(8) Despite paragraphs (2) and (3) and subject to paragraphs [F²⁶(2B) and (9) to (10D)], a person ("A" in this paragraph) is an eligible student in connection with a designated course at the Institute if—

- (a) A qualified as an eligible student in connection with—
 - (i) an earlier academic year of the current course; or
 - (ii) a designated course that A attended at the Institute and from which A's status as an eligible student was transferred to the current course; and
- (b) A's status as an eligible student has not terminated.

(9) Where—

- (a) the Welsh Ministers determined that, by virtue of being a refugee or the spouse, civil partner, child or step-child of a refugee, a person ("A" in this paragraph) was an eligible student in connection with an application for support for an earlier year of the current course or in connection with an application for support for a designated course at the Institute from which A's status as an eligible student has been transferred to the current course; and
- (b) the refugee status of A or of A's spouse, civil partner, parent or step-parent, as the case may be, is due to expire before the first day of the academic year in respect of which A is applying for support and, as at the day before that academic year begins, no further leave to remain has been granted and no appeal is pending (within the meaning of section 104 of the Nationality, Immigration and Asylum Act 2002),

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

[F²⁷(9A) Where—

- (a) the Welsh Ministers determined that, by virtue of being a person granted stateless leave, or the spouse, civil partner, child or step-child of such a person, a person ("A" in this paragraph) was an eligible student in connection with an application for support for an earlier year of the current course or in connection with an application for support for a

designated course at the Institute from which A's status as an eligible student has been transferred to the current course; and

- (b) the period for which a person granted stateless leave is allowed to stay in the United Kingdom is due to expire before the first day of the academic year in respect of which A is applying for support and, as at the day before that academic year begins, no further leave to remain has been granted and no application for administrative review in accordance with the immigration rules is pending,

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

[^{F28}(9B) Where—

- (a) the Welsh Ministers determined that, by virtue of being a person granted humanitarian protection under paragraph 339C of the immigration rules or the spouse, civil partner, child or step-child of such a person, a person ("A" in this paragraph) was an eligible student in connection with an application for support for an earlier year of the current course or in connection with an application for support for a designated course at the Institute from which A's status as an eligible student has been transferred to the current course; and
- (b) the period for which the person granted humanitarian protection under paragraph 339C of the immigration rules is allowed to stay in the United Kingdom is due to expire before the first day of the academic year in respect of which A is applying for support and, as at the day before that academic year begins, no further leave to remain has been granted and no appeal is pending within the meaning of section 104 of the Nationality, Immigration and Asylum Act 2002,

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

(10) Where—

- (a) the Welsh Ministers determined that, by virtue of being a person with leave to enter or remain or the spouse, civil partner, child or step-child of such a person, a person ("A" in this paragraph) was an eligible student in connection with an application for support for an earlier year of the current course or in connection with an application for support for a designated course at the Institute from which A's status as an eligible student has been transferred to the current course; and
- (b) the period for which the person with leave to enter or remain is allowed to stay in the United Kingdom is due to expire before the first day of the academic year in respect of which A is applying for support and, as at the day before that academic year begins, no further leave to remain has been granted and no appeal is pending (within the meaning of section 104 of the Nationality, Immigration and Asylum Act 2002),

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

[^{F29}(10A) Where—

- (a) the Welsh Ministers determined that, by virtue of being a person with section 67 leave to remain or the child of such a person, a person ("A" in this paragraph) was an eligible student in connection with an application for support for an earlier year of the current course or in connection with an application for support for a designated course at the Institute from which A's status as an eligible student has been transferred to the current course; and
- (b) the period for which a person with section 67 leave to remain is allowed to stay in the United Kingdom is due to expire before the first day of the academic year in respect of which A is applying for support and, as at the day before that academic year begins, no

further leave to remain has been granted and no appeal is pending (within the meaning of section 104 of the Nationality, Immigration and Asylum Act 2002),

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

[^{F30}(10B) Where—

- (a) the Welsh Ministers determined that, by virtue of being a person with protected rights with limited leave to enter or remain in the United Kingdom granted by virtue of residence scheme immigration rules, a person (“A”) was an eligible student in connection with—
 - (i) an application for support for an earlier year of the current course; or
 - (ii) an application for support in connection with a designated course at the Institute from which A's status as an eligible student has been transferred to the current course; and
- (b) as at the day before the academic year in respect of which A is applying for support begins, A no longer has extant limited leave to enter or remain granted by virtue of residence scheme immigration rules and no further leave to enter or remain has been granted under those rules,

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

(10C) Where—

- (a) the Welsh Ministers determined that, by virtue of being a person with Calais leave, a person (“A”) was an eligible student in connection with an application for support for an earlier year of the current course or in connection with an application for support for a designated course at the Institute from which A's status as an eligible student has been transferred to the current course; and
- (b) the period for which a person with Calais leave is allowed to stay in the United Kingdom is due to expire before the first day of the academic year in respect of which A is applying for support and, as at the day before that academic year begins, no further leave to remain has been granted,

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

(10D) Where—

- (a) the Welsh Ministers determined that, by virtue of being a person granted leave to remain as a protected partner or the child of such a person (“A”) was an eligible student in connection with an application for support for an earlier year of the current course or in connection with an application for support for a designated course at the Institute from which A's status as an eligible student has been transferred to the current course; and
- (b) the period for which a person granted leave to remain as a protected partner is allowed to stay in the United Kingdom is due to expire before the first day of the academic year in respect of which A is applying for support and, as at the day before that academic year begins, no further leave to remain has been granted and no appeal is pending (within the meaning of section 104 of the Nationality, Immigration and Asylum Act 2002),

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

(10E) Where—

- (a) the Welsh Ministers have determined that, by virtue of—
 - (i) falling within paragraph [^{F31}(1)(a)(iii) or (iv)] of the definition of “person with protected rights”; or

(ii) meeting the conditions in paragraph [F323(1)(a)(iv)] in Part 2 of Schedule 1,

A person (“A”) is an eligible student in connection with an application for support for an academic year of a designated course; and

(b) as at the day before the academic year begins, A is not a person with protected rights,

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

[F33(10F) Where—

(a) the Welsh Ministers determined that, by virtue of being a person with leave to enter or remain as a relevant Afghan citizen, a person (“A”) was an eligible student in connection with an application for support for an earlier year of the current course or in connection with an application for support for a designated course at the Institute from which A’s status as an eligible student has been transferred to the current course; and

(b) the period for which a person with leave to enter or remain as a relevant Afghan citizen is allowed to stay in the United Kingdom is due to expire before the first day of the academic year in respect of which A is applying for support and, as at the day before that academic year begins, no further leave to remain has been granted and no appeal is pending,

A’s status as an eligible student terminates on the day before the first day of the academic year in respect of which A is applying for support.]

[F34(10G) Where—

(a) the Welsh Ministers determined, that by virtue of being a protected Ukrainian national [F35 or the spouse, civil partner, child or step-child of such a person], a person (“A” in this paragraph) was an eligible student in connection with an application for support for an earlier year of the current course or in connection with an application for support for a designated course at the Institute from which A’s status as an eligible student has been transferred to the current course; and

[F36(b) the period for which the person with leave to enter or remain as a protected Ukrainian national is allowed to stay in the United Kingdom is due to expire before the first day of the academic year in respect of which A is applying for support and, as at the day before that academic year begins, no further leave to remain has been granted.]

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

(11) [F37Paragraphs (9), (9A), [F38(9B),] (10) and (10A)] do not apply where the student began the course in connection with which the Welsh Ministers determined that he or she was an eligible student before 1 September 2007.

(12) The Welsh Ministers may take such steps and make such inquiries as they consider necessary to determine whether a person is an eligible student.

(13) The Welsh Ministers must inform a person who has been notified to them under paragraph (2) (a) whether that person qualifies as an eligible student.

(14) A person who has received notification from the Welsh Ministers under paragraph (13) that the person is an eligible student in connection with a course at the Institute and a person who is an eligible student at the Institute by virtue of paragraph (8) must, by the deadline for receipt of financial information, provide the Welsh Ministers with any information or documentation that they request in order to determine the amount of support payable under these Regulations in respect of the academic year.

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(15) The deadline for receipt of financial information is 30 April of the calendar year in which the academic year of the current course begins or, in the case of grants payable under regulation 15(6), 28 February of the calendar year after that in which the academic year of the current course begins.

(16) The Welsh Ministers must notify an eligible student of the amount of support payable in respect of the academic year, if any.

Textual Amendments

- F18** Words in reg. 6(2) substituted (31.12.2021) by The Education (European University Institute) (Wales) (Amendment) (EU Exit) Regulations 2021 (S.I. 2021/1294), regs. 1(2), **5(a)(i)**
- F19** Reg. 6(2)(b)-(2B) substituted for reg. 6(2)(b) (31.12.2021) by The Education (European University Institute) (Wales) (Amendment) (EU Exit) Regulations 2021 (S.I. 2021/1294), regs. 1(2), **5(a)(ii)**
- F20** Reg. 6(2)(b)(i) substituted (with application in accordance with reg. 3 of the amending S.I.) by The Education (Student Finance) (Ukrainian Nationals and Family Members) (Miscellaneous Amendments) (Wales) Regulations 2022 (S.I. 2022/764), regs. 2, **13(a)(i)**
- F21** Words in reg. 6(2)(b)(i) omitted (22.2.2023) by virtue of The Education (Student Finance) (Miscellaneous Amendments) (Wales) Regulations 2023 (S.I. 2023/87), regs. 1(2), **8(a)** (with reg. 2)
- F22** Reg. 6(2)(b)(ii) substituted (with application in accordance with reg. 3 of the amending S.I.) by The Education (Student Finance) (Ukrainian Nationals and Family Members) (Miscellaneous Amendments) (Wales) Regulations 2022 (S.I. 2022/764), regs. 2, **13(a)(ii)**
- F23** Word in reg. 6(2)(b)(ii) omitted (22.2.2023) by virtue of The Education (Student Finance) (Miscellaneous Amendments) (Wales) Regulations 2023 (S.I. 2023/87), regs. 1(2), **8(b)** (with reg. 2)
- F24** Word in reg. 6(2A)(a) omitted (22.2.2023) by virtue of The Education (Student Finance) (Miscellaneous Amendments) (Wales) Regulations 2023 (S.I. 2023/87), regs. 1(2), **8(c)** (with reg. 2)
- F25** Words in reg. 6(2B) substituted (22.2.2023) by The Education (Student Finance) (Miscellaneous Amendments) (Wales) Regulations 2023 (S.I. 2023/87), regs. 1(2), **8(d)** (with reg. 2)
- F26** Words in reg. 6(8) substituted (31.12.2021) by The Education (European University Institute) (Wales) (Amendment) (EU Exit) Regulations 2021 (S.I. 2021/1294), regs. 1(2), **5(b)**
- F27** Reg. 6(9A) inserted (30.7.2018) by The Education (Student Finance) (Miscellaneous Amendments) (Wales) Regulations 2018 (S.I. 2018/814), regs. 1(2), **44**
- F28** Reg. 6(9B) inserted (28.1.2021) by The Education (Student Fees, Awards and Support) (Ordinary Residence) (Wales) Regulations 2021 (S.I. 2021/9), regs. 1(2), **7**
- F29** Reg. 6(10A) inserted (with application in accordance with reg. 1(3)(b) of the amending S.I.) by The Education (Student Finance) (Miscellaneous Amendments) (Wales) Regulations 2019 (S.I. 2019/235), regs. 1(3)(a), **9(a)**
- F30** Reg. 6(10B)-(10E) inserted (31.12.2021) by The Education (European University Institute) (Wales) (Amendment) (EU Exit) Regulations 2021 (S.I. 2021/1294), regs. 1(2), **5(c)**
- F31** Words in reg. 6(10E)(a)(i) substituted (22.2.2023) by The Education (Student Finance) (Miscellaneous Amendments) (Wales) Regulations 2023 (S.I. 2023/87), regs. 1(2), **8(e)(i)** (with reg. 2)
- F32** Word in reg. 6(10E)(a)(ii) substituted (22.2.2023) by The Education (Student Finance) (Miscellaneous Amendments) (Wales) Regulations 2023 (S.I. 2023/87), regs. 1(2), **8(e)(ii)** (with reg. 2)
- F33** Reg. 6(10F) inserted (23.2.2022) by The Education (Student Finance) (Miscellaneous Amendments) (Wales) Regulations 2022 (S.I. 2022/79), regs. 1(2), **8** (with reg. 2)
- F34** Reg. 6(10G) inserted (with application in accordance with reg. 3 of the amending S.I.) by The Education (Student Finance) (Ukrainian Nationals and Family Members) (Miscellaneous Amendments) (Wales) Regulations 2022 (S.I. 2022/764), regs. 2, **13(b)**
- F35** Words in reg. 6(10G)(a) inserted (with application in accordance with reg. 2 of the amending S.I.) by The Education (Student Finance) (Miscellaneous Amendments) (No. 3) (Wales) Regulations 2023 (S.I. 2023/1349), regs. 1(2), **12(a)**
- F36** Reg. 6(10G)(b) substituted (with application in accordance with reg. 2 of the amending S.I.) by The Education (Student Finance) (Miscellaneous Amendments) (No. 3) (Wales) Regulations 2023 (S.I. 2023/1349), regs. 1(2), **12(b)**

- F37** Words in [reg. 6\(11\)](#) substituted (with application in accordance with [reg. 1\(3\)\(b\)](#) of the amending S.I.) by [The Education \(Student Finance\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2019 \(S.I. 2019/235\)](#), [regs. 1\(3\)\(a\)](#), [9\(b\)](#)
- F38** Word in [reg. 6\(11\)](#) inserted (28.1.2021) by [The Education \(Student Fees, Awards and Support\) \(Ordinary Residence\) \(Wales\) Regulations 2021 \(S.I. 2021/9\)](#), [regs. 1\(2\)](#), [8](#)

Commencement Information

- I6** [Reg. 6](#) in force at 5.12.2014, see [reg. 1](#)

Designated courses

7. A course is designated for the purposes of section 22(1) of the 1998 Act and regulation 6 if it is—

- (a) a postgraduate or comparable course;
- (b) a full-time course;
- (c) of at least one academic year’s duration; and
- (d) provided by the Institute,

unless it is a course that leads to the award of a master of laws qualification.

Commencement Information

- I7** [Reg. 7](#) in force at 5.12.2014, see [reg. 1](#)

Period of eligibility

8.—(1) Subject to the following paragraphs and regulation 6, a student’s status as an eligible student in connection with a designated course will terminate at the end of the third academic year of the student’s course (“period of eligibility”).

(2) The student’s period of eligibility terminates when the student—

- (a) withdraws from the designated course in circumstances in which the Welsh Ministers will not transfer the student’s status as an eligible student in accordance with regulation 9; or
- (b) abandons or is expelled from the designated course.

(3) The Welsh Ministers may terminate the student’s period of eligibility if they are satisfied that the conduct of the student has shown that the student is unfitted to receive support.

(4) Where the student’s period of eligibility will terminate before the end of the academic year in which the student will actually complete the course, the Welsh Ministers may, at any time, extend or renew the period of eligibility for such period as they determine.

(5) If the Welsh Ministers are satisfied that an eligible student has failed to comply with any requirement to provide information under these Regulations or has provided information which is inaccurate in a material particular, the Welsh Ministers may do one or more of the following—

- (a) terminate the student’s period of eligibility;
- (b) determine that the student no longer qualifies for any particular type of support or particular amount of support;
- (c) treat any support already paid to the student as an overpayment which may be recovered in accordance with regulation 30.

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Commencement Information

I8 Reg. 8 in force at 5.12.2014, see [reg. 1](#)

Transfer of eligibility

9.—(1) Where an eligible student transfers to another designated course at the Institute, the Welsh Ministers must transfer the student’s status as an eligible student where—

- (a) they receive a request from the eligible student to do so;
- (b) they are satisfied that the eligible student has begun to attend that other course on the recommendation of the academic authority; and
- (c) the student’s status as an eligible student has not terminated.

[^{F39}(1A) Paragraph (1) applies to a person who is an eligible student by virtue of regulation 6(2)(b)(ii) only where that person’s status as an eligible student has not been transferred on or after 1 September 2022 from the designated course referred to in regulation 6(2A)(a) to another designated course.]

(2) An eligible student who transfers under paragraph (1) is to receive in connection with the academic year of the course to which the student transfers the remainder of the support assessed by the Welsh Ministers in respect of the academic year of the course from which the student transfers.

(3) An eligible student who transfers under paragraph (1) after the Welsh Ministers have assessed support in connection with the academic year of the course from which the student is transferring but before the student completes that year may not, in connection with the academic year of the course to which the student transfers, apply for another grant of a kind that the student has already applied for under these Regulations in connection with the academic year of the course from which the student is transferring.

Textual Amendments

F39 Reg. 9(1A) inserted (31.12.2021) by The Education (European University Institute) (Wales) (Amendment) (EU Exit) Regulations 2021 (S.I. 2021/1294), regs. 1(2), 6

Commencement Information

I9 Reg. 9 in force at 5.12.2014, see [reg. 1](#)

PART 3

PROVISION OF INFORMATION

Information

10. Every applicant and eligible student must, as soon as reasonably practicable after being requested to do so, provide the Welsh Ministers with such information as the Welsh Ministers consider they require for the purposes of these Regulations.

11. Every applicant and eligible student must immediately inform the Welsh Ministers and provide the Welsh Ministers with particulars if—

- (a) the applicant or student withdraws from, abandons or is expelled from the course;
- (b) the applicant or student transfers to another course at the Institute;

- (c) the applicant or student ceases to attend the course and does not intend to or is not permitted to continue it for the remainder of the academic year;
- (d) the applicant or student is absent from the course for more than 60 days due to illness or for any period for any other reason;
- (e) the month for the start or the completion of the course changes;
- (f) the applicant's or student's home or term-time address changes.

12. Information provided to the Welsh Ministers pursuant to these Regulations must be in the format required by the Welsh Ministers and, if the Welsh Ministers require the information to be signed by the person providing it, an electronic signature in such form as they may specify satisfies this requirement.

Commencement Information

- I10 Reg. 10 in force at 5.12.2014, see [reg. 1](#)
- I11 Reg. 11 in force at 5.12.2014, see [reg. 1](#)
- I12 Reg. 12 in force at 5.12.2014, see [reg. 1](#)

PART 4

FINANCIAL SUPPORT

General

13.—(1) Subject to paragraph (2), the general rule is that an eligible student who is attending a designated course provided by the Institute qualifies in connection with an academic year for—

- (a) grants for living and other costs in accordance with Chapter 1; and
- (b) supplementary grants in accordance with Chapter 2.

(2) If the academic year in respect of which the eligible student has applied for support is a year of repeat study the Welsh Ministers may determine that—

- (a) the student does not qualify for a particular type or amount of support in respect of the year of repeat study; or
- (b) the student does not qualify for any support in respect of the year of repeat study.

(3) In determining whether an eligible student should not qualify for some or any support in accordance with paragraph (2) the Welsh Ministers must have regard to the circumstances of the case and in particular the reasons for which the student has been required to repeat an academic year.

(4) For the purposes of this regulation, “year of repeat study” (“*blwyddyn o ailadrodd astudiaethau*”) means an academic year which the student has previously attended but is required by the Institute to attend again.

Commencement Information

- I13 Reg. 13 in force at 5.12.2014, see [reg. 1](#)

Number of awards

14.—(1) In respect of applications for support made under regulation 5(1), the Welsh Ministers may only award support to one eligible student in each academic year.

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(2) Where more than one eligible student makes an application for support under regulation 5(1) in respect of the same academic year the Welsh Ministers must (if they have determined to award support) award that support to whichever of the eligible students the Welsh Ministers determine is most suitable to receive support.

Commencement Information

I14 Reg. 14 in force at 5.12.2014, see [reg. 1](#)

CHAPTER 1

GRANTS FOR LIVING AND OTHER COSTS

Grants for living and other costs

15.—(1) [^{F40}An] eligible student qualifies in respect of an academic year for the grants for living and other costs specified in and calculated in accordance with paragraphs (3) to (7).

^{F41}(2)

(3) An eligible student qualifies for a grant for living costs of 18,099 euro in relation to an academic year beginning on or after 1 September 2015.

(4) An eligible student qualifies for a grant for travel home of an amount equal to—
(*A – B*)

where—

A is the amount determined by the Welsh Ministers to be the cost of three return journeys from the student's home address to the European University Institute; and

B is £105.

(5) An eligible student qualifies for a grant for college travel of the amount determined by the Welsh Ministers to be the reasonable cost of travel from the student's residence whilst attending the Institute to the Institute.

(6) Subject to the prior agreement of the Welsh Ministers before costs are incurred, an eligible student qualifies for a grant for research travel of the amount determined by the Welsh Ministers to be the reasonable cost of travel incurred for the purposes of completing periods of research authorised by the Institute during the academic year in respect of which support is being applied for.

(7) An eligible student qualifies for a grant for medical insurance of the amount determined by the Welsh Ministers to be the reasonable cost of insuring the student against liability for the cost of medical treatment provided outside the United Kingdom where the ordinary duration of the course is more than one academic year.

16. A deduction may be made in accordance with Part 5 from the amount payable in respect of any of the grants calculated under paragraphs (3) to (6) of regulation 15.

Textual Amendments

F40 Word in [reg. 15\(1\)](#) substituted (22.2.2023) by [The Education \(Student Finance\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2023 \(S.I. 2023/87\)](#), regs. 1(2), **9(a)** (with [reg. 2](#))

F41 [Reg. 15\(2\)](#) omitted (22.2.2023) by virtue of [The Education \(Student Finance\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2023 \(S.I. 2023/87\)](#), regs. 1(2), **9(b)** (with [reg. 2](#))

Commencement Information

I15 Reg. 15 in force at 5.12.2014, see [reg. 1](#)

I16 Reg. 16 in force at 5.12.2014, see [reg. 1](#)

CHAPTER 2

SUPPLEMENTARY GRANTS

Disabled student's allowance

17.—(1) [^{F42}An] eligible student qualifies for a disabled student's allowance to assist with the additional expenditure which the Welsh Ministers are satisfied that the student is obliged to incur by reason of a disability to which the student is subject in respect of the student's attendance at a designated course.

^{F43}(2)

Textual Amendments

F42 Word in [reg. 17\(1\)](#) substituted (22.2.2023) by [The Education \(Student Finance\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2023 \(S.I. 2023/87\)](#), [regs. 1\(2\)](#), **10(a)** (with [reg. 2](#))

F43 [Reg. 17\(2\)](#) omitted (22.2.2023) by virtue of [The Education \(Student Finance\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2023 \(S.I. 2023/87\)](#), [regs. 1\(2\)](#), **10(b)** (with [reg. 2](#))

Commencement Information

I17 [Reg. 17](#) in force at 5.12.2014, see [reg. 1](#)

Amount of disabled student's allowance

18.—(1) Subject to paragraph (2), the amount of the disabled student's allowance is the amount that the Welsh Ministers consider appropriate in accordance with the student's circumstances to assist with one or more types of eligible expenditure.

(2) The amount of disabled student's allowance must not exceed £10,590 in respect of an academic year.

(3) The "types of eligible expenditure" are—

(a) expenditure on a non-medical personal helper;

(b) expenditure on major items of specialist equipment;

(c) any additional expenditure incurred—

(i) in Italy for the purpose of attending the Institute; and

(ii) within or outside the United Kingdom for the purpose of travelling to the Institute in order to attend the relevant course.

Commencement Information

I18 [Reg. 18](#) in force at 5.12.2014, see [reg. 1](#)

Grant for dependants

19.—(1) The grant for dependants consists of the following elements—

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- (a) adult dependants’ grant; and
- (b) parents learning allowance.

(2) The qualifying conditions for each element and the amounts payable are set out in regulations 20 to 24.

Commencement Information

I19 Reg. 19 in force at 5.12.2014, see **reg. 1**

Adult dependants’ grant

20.—(1) [^{F44}An] eligible student qualifies for an adult dependants’ grant in connection with the student’s attendance on a designated course in accordance with this regulation.

(2) The adult dependants’ grant is available in respect of one dependant of an eligible student who is either—

- (a) the student’s partner; or
- (b) an adult dependant of the student whose net income does not exceed, £3,923.

^{F45}(3)

21. The amount of adult dependants’ grant payable in respect of an academic year is calculated in accordance with regulation 23, the basic amount being—

- (a) in respect of the current academic year, £2,732; or
- (b) where the person in respect of whom the student is applying for adult dependants’ grant is ordinarily resident outside of the United Kingdom, such amount not exceeding £2,732 as the Welsh Ministers consider reasonable in the circumstances.

Textual Amendments

F44 Word in reg. 20(1) substituted (22.2.2023) by The Education (Student Finance) (Miscellaneous Amendments) (Wales) Regulations 2023 (S.I. 2023/87), regs. 1(2), **11(a)** (with reg. 2)

F45 Reg. 20(3) omitted (22.2.2023) by virtue of The Education (Student Finance) (Miscellaneous Amendments) (Wales) Regulations 2023 (S.I. 2023/87), regs. 1(2), **11(b)** (with reg. 2)

Commencement Information

I20 Reg. 20 in force at 5.12.2014, see **reg. 1**

I21 Reg. 21 in force at 5.12.2014, see **reg. 1**

Parents’ learning allowance

22.—(1) [^{F46}An] eligible student qualifies in connection with attendance on a designated course for the parents’ learning allowance if the student has one or more dependent children.

^{F47}(2)

(3) The amount of parents’ learning allowance payable in respect of an academic year is calculated in accordance with regulation 23, the basic amount being, £1,557.

Textual Amendments

- F46** Word in [reg. 22\(1\)](#) substituted (22.2.2023) by [The Education \(Student Finance\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2023 \(S.I. 2023/87\)](#), regs. 1(2), **12(a)** (with [reg. 2](#))
- F47** [Reg. 22\(2\)](#) omitted (22.2.2023) by virtue of [The Education \(Student Finance\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2023 \(S.I. 2023/87\)](#), regs. 1(2), **12(b)** (with [reg. 2](#))

Commencement Information

- I22** [Reg. 22](#) in force at 5.12.2014, see [reg. 1](#)

Calculations

23.—(1) Subject to the following paragraphs, the amount payable in respect of a particular element of the grant for dependants for which an eligible student qualifies under regulations 20 to 22 is the amount of that element remaining after applying, until it is extinguished or no element remains payable under regulations 20 to 22, an amount equal to **(A – B)** as follows and in the following order—

- (a) to reduce the basic amount of the adult dependants' grant where the eligible student qualifies for that element under regulation 20; and
- (b) to reduce the basic amount of parents' learning allowance where the eligible student qualifies for that element under regulation 22.

(2) Subject to paragraphs (4) and (5), where **B** is greater than or equal to **A**, the basic amount of each element of the grant for dependants for which the eligible student qualifies is payable.

(3) Where **(A – B)** is equal to or exceeds the aggregate of the basic amounts of the elements of the grant for dependants for which the eligible student qualifies, the amount payable in respect of each element is nil.

(4) The amount of adult dependants' grant calculated under paragraph (1) is reduced in respect of an adult dependant by one half where—

- (a) the student's partner—
 - (i) is an eligible student; or
 - (ii) holds a statutory award; and
- (b) account is taken of that partner's dependants in calculating the amount of support for which that partner qualifies or the payment to which that partner is entitled under the statutory award.

(5) Where the amount of the parents' learning allowance calculated under paragraph (1) is £0.01 or more but less than £50, the amount of parents' learning allowance payable is £50.

(6) For the purposes of this regulation—

A is the aggregate of the net income of each of the eligible student's dependants; and

B is—

- a) £1,159 where the student has no dependent child;
- b) £3,473 where the student is not a lone parent and has one dependent child;
- c) £4,632 where the student is not a lone parent and has more than one dependent child;
- d) £4,632 where the student is a lone parent and has one dependent child;
- e) £5,797 where the student is a lone parent and has more than one dependent child.

24. A deduction may be made in accordance with Part 5 from the amount payable in respect of a particular element of the grant for dependants calculated in accordance with regulations 20 to 23.

Commencement Information

I23 Reg. 23 in force at 5.12.2014, see [reg. 1](#)

I24 Reg. 24 in force at 5.12.2014, see [reg. 1](#)

Interpretation

25.—(1) For the purposes of regulations 20 to 24—

- (a) “adult dependant” (“*dibynnydd mewn oed*”) means, in relation to an eligible student, an adult person dependent on the student other than the student’s child, the student’s partner (including a spouse or civil partner from whom the Welsh Ministers consider the student is separated) or the student’s former partner;
- (b) “child” (“*plentyn*”) in relation to an eligible student includes any child of the student’s partner who is dependent on the student and any child for whom the student has parental responsibility who is dependent on the student;
- (c) “dependant” (“*dibynnydd*”) means, in relation to an eligible student, the student’s partner, the student’s dependent child or an adult dependant, who in each case is not an eligible student and does not hold a statutory award;
- (d) “dependent” (“*dibynnoI*”) means wholly or mainly financially dependent;
- (e) “dependent child” (“*plentyn dibynnoI*”) means, in relation to an eligible student, a child dependent on the student;
- (f) “lone parent” (“*rhiant unigol*”) means an eligible student who does not have a partner and who has a dependent child or dependent children;
- (g) “net income” (“*incwm net*”) has the meaning given in paragraph (2);
- (h) subject to sub-paragraphs (i), (j), (k) and (l) “partner” (“*partner*”) means any of the following—
 - (i) the spouse of a student;
 - (ii) the civil partner of a student;
 - (iii) a person ordinarily living with a student as if that person were the student’s spouse where that student—
 - (aa) was aged 25 or over at the start of the academic year in respect of which the student’s contribution falls to be assessed; and
 - (bb) started the designated course on or after 1 September 2000;
 - (iv) a person ordinarily living with a student as if that person were the student’s civil partner where that student—
 - (aa) was aged 25 or over at the start of the academic year in respect of which the student’s contribution falls to be assessed; and
 - (bb) started the designated course on or after 1 September 2005;
- (i) unless otherwise indicated, a person who would otherwise be a partner under sub-paragraph (h) is not to be treated as a partner if—
 - (i) in the opinion of the Welsh Ministers, that person and the student are separated; or
 - (ii) the person is ordinarily living outside the United Kingdom and is not maintained by the student;

- (j) for the purposes of the definition of “adult dependant”, a person is to be treated as a partner if the person would be a partner under sub-paragraph (h) but for the fact that the student with whom the person is living was not aged 25 or over at the start of the academic year in respect of which the student’s contribution falls to be assessed;
 - (k) for the purposes of the definitions of “child” and “lone parent”, a person is to be treated as a partner if the person would be a partner under sub-paragraph (h) but for the date on which the student began the designated course or the fact that the student with whom the person is ordinarily resident was not aged 25 or over at the start of the academic year in respect of which the student’s contribution falls to be assessed;
 - (l) subject to sub-paragraph (m), for the purposes of the definition of “adult dependant”, the Welsh Ministers may treat an adult person or child as dependent on an eligible student if they are satisfied that the adult person or child—
 - (i) is not dependent on—
 - (aa) the eligible student; or
 - (bb) the eligible student’s partner; but
 - (ii) is dependent on the eligible student and the eligible student’s partner together;
 - (m) the Welsh Ministers must not treat an adult person (“A”) as dependent on an eligible student in accordance with sub-paragraph (l), if A is—
 - (i) the spouse or civil partner of the eligible student’s partner (including a spouse or civil partner from whom the Welsh Ministers consider the eligible student’s partner is separated); or
 - (ii) the former partner of the eligible student’s partner;
 - (n) for the purposes of determining whether a person is the former partner of an eligible student’s partner, “partner” in relation to an eligible student’s partner means—
 - (i) the spouse of an eligible student’s partner;
 - (ii) the civil partner of an eligible student’s partner;
 - (iii) where the eligible student began the specified designated course on or after 1 September 2000, a person (“A”) ordinarily living with an eligible student’s partner (“B”) as if A were B’s spouse;
 - (iv) where the eligible student began the specified designated course on or after 1 September 2005, a person (“A”) ordinarily living with an eligible student’s partner (“B”) as if A were B’s civil partner.
- (2) Subject to paragraph (3), a dependant’s net income is the dependant’s income from all sources for the academic year in question reduced by the amount of income tax and social security contributions payable in respect of it but disregarding—
- (a) any pension, allowance or other benefit paid by reason of a disability or incapacity to which the dependant is subject;
 - (b) child benefit payable under Part IX of the Social Security Contributions and Benefits Act 1992⁽¹⁰⁾;
 - (c) any financial support payable to the dependant by a local authority in accordance with regulations made under sections 2, 3 and 4 of the Adoption and Children Act 2002⁽¹¹⁾;
 - (d) any guardian’s allowance to which the dependant is entitled under section 77 of the Social Security Contributions and Benefits Act 1992;

⁽¹⁰⁾ 1992 c. 4 to which there are amendments not relevant to these Regulations.

⁽¹¹⁾ 2002 c. 38.

- (e) in the case of a dependant with whom a child being looked after by a local authority is boarded out, any payment made to that dependant for the purposes of section 23 of the Children Act 1989^[F48] or section 81 of the Social Services and Well-being (Wales) Act 2014];
 - (f) any payment made to the dependant under section ^[F49]110(6) of the Social Services and Well-being (Wales) Act 2014 or, as the case may be, section] 23C(5A) of the Children Act 1989⁽¹³⁾;
 - (g) any payments made to the dependant under section 15 of and Schedule 1 to the Children Act 1989 in respect of a person who is not the dependant's child or any assistance given by a local authority pursuant to section 24 of that Act⁽¹⁴⁾^[F50] or section 104 of the Social Services and Well-being (Wales) Act 2014 in so far as that section applies to category 5 and 6 young persons within the meaning of that Act];
 - (h) any child tax credit to which the dependant is entitled under Part 1 of the Tax Credits Act 2002⁽¹⁵⁾; and
 - (i) in the case of a dependant who is entitled to an award of universal credit under Part 1 of the Welfare Reform Act 2012⁽¹⁶⁾—
 - (i) any amount that is included in the calculation of the award, under regulation 27(1) of the Universal Credit Regulations 2013⁽¹⁷⁾, in respect of the fact that the dependant has limited capability for work or limited capability for work and work-related activity; and
 - (ii) any amount or additional amount that is included in the calculation of the award under regulation 24 of those Regulations (the child element).
- (3) Where an eligible student or the eligible student's partner makes any recurrent payments which were previously made by the student in pursuance of an obligation incurred before the first academic year of the student's course, the partner's net income is net income calculated in accordance with paragraph (2) reduced by—
- (a) an amount equal to the payments in question for the academic year, if in the opinion of the Welsh Ministers the obligation has been reasonably incurred; or
 - (b) such lesser amount, if any, as the Welsh Ministers consider appropriate if, in their opinion, a lesser obligation could reasonably have been incurred.
- (4) For the purposes of paragraph (2), where—
- (a) the dependant is a dependent child; and
 - (b) payments are made to the student towards the child's maintenance;
- those payments are to be treated as the child's income.

(12) 1989 c. 41. Section 23 was amended by the Courts and Legal Services Act 1990 (c. 41), Schedule 16, paragraph 12, the Care Standards Act 2000 (c. 14), Schedule 4, paragraph 14, the Children Act 2004 (c. 31), section 49(3), the Children and Young Persons Act 2008 (c. 23), section 8 and Schedule 3, paragraphs 1 and 7 and the Children and Families Act 2014 (c. 6), Schedule 2(1), paragraph 30.

(13) Subsections (5A) to (5C) of section 23C of the Children Act 1989 were inserted by section 21 of the Children and Young Persons Act 2008 and, in relation to Wales, S.I. 2010/1329 (W. 112) (C. 81) and S.I. 2011/824 (W. 123) (C. 32) refer.

(14) There are amendments to sections 15 and 24 and Schedule 1 which are not relevant to these Regulations.

(15) 2002 c. 21 to which there are amendments not relevant to these Regulations.

(16) 2012 c. 5.

(17) S.I. 2013/376.

Textual Amendments

- F48** Words in [reg. 25\(2\)\(e\)](#) inserted (6.4.2016) by [The Social Services and Well-being \(Wales\) Act 2014 \(Consequential Amendments\) \(Secondary Legislation\) Regulations 2016 \(S.I. 2016/211\)](#), [reg. 1\(2\)](#), [Sch. 3 para. 174\(a\)](#)
- F49** Words in [reg. 25\(2\)\(f\)](#) inserted (6.4.2016) by [The Social Services and Well-being \(Wales\) Act 2014 \(Consequential Amendments\) \(Secondary Legislation\) Regulations 2016 \(S.I. 2016/211\)](#), [reg. 1\(2\)](#), [Sch. 3 para. 174\(b\)](#)
- F50** Words in [reg. 25\(2\)\(g\)](#) inserted (6.4.2016) by [The Social Services and Well-being \(Wales\) Act 2014 \(Consequential Amendments\) \(Secondary Legislation\) Regulations 2016 \(S.I. 2016/211\)](#), [reg. 1\(2\)](#), [Sch. 3 para. 174\(c\)](#)

Commencement Information

- I25** [Reg. 25](#) in force at 5.12.2014, see [reg. 1](#)

PART 5

CONTRIBUTIONS

Student's contribution

26.—(1) An eligible student's contribution in respect of an academic year is the amount, if any, calculated under Schedule 2.

(2) For the purposes of the exercise of the Welsh Ministers' functions under these Regulations the Welsh Ministers may require a student to provide from time to time such information as they require in order to assess the student's contribution.

Commencement Information

- I26** [Reg. 26](#) in force at 5.12.2014, see [reg. 1](#)

Application of the student's contribution

27. The contribution calculated in accordance with regulation 26 must be applied in accordance with regulation 28.

28.—(1) The Welsh Ministers must apply the eligible student's contribution—

- (a) first, to reduce the amount of grant for living costs calculated in accordance with regulation 15(3);
- (b) second—
 - (i) in the case of a student who is eligible for the grant for dependants, to reduce in the following order—
 - (aa) the amount of any adult dependants' grant calculated in accordance with regulation 23;
 - (bb) the amount of any parents' learning allowance calculated in accordance with regulation 23; and
 - (cc) the amount of any grant for travel home calculated in accordance with regulation 15(4);

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Education (European University Institute) (Wales) Regulations 2014. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (ii) in any other case, to reduce the amount of grant for travel home calculated in accordance with regulation 15(4);
- (c) third, to reduce the amount of grant for college travel calculated in accordance with regulation 15(5);
- (d) fourth, subject to paragraph (2), to reduce the amount of grant for research travel calculated in accordance with regulation 15(6).

(2) Where the contribution available to reduce the amount of grant for research travel in accordance with paragraph (1)(d) exceeds the amount of that grant calculated under regulation 15(6), the amount of that grant payable to the student is nil.

Commencement Information

I27 [Reg. 27](#) in force at 5.12.2014, see [reg. 1](#)

I28 [Reg. 28](#) in force at 5.12.2014, see [reg. 1](#)

PART 6

PAYMENTS

Payment of grants for living and other costs and supplementary grants

29.—(1) The Welsh Ministers may pay the grants for living and other costs and the supplementary grants for which an eligible student qualifies in such instalments and at such times as they consider appropriate.

(2) The Welsh Ministers may, if they consider it appropriate to do so, pay the grant payable under regulation 15(3) to the academic authority for the authority to pay the grant on their behalf.

(3) Where a final assessment of the amount of grants for living and other costs or supplementary grants payable to an eligible student cannot be made on the basis of the information provided by the student, the Welsh Ministers may make provisional payments of those grants pending the final assessment.

(4) The Welsh Ministers may, if they consider it appropriate to do so, make a payment of disabled student's allowance before the start of the academic year in respect of which that payment is due.

(5) Where the circumstances in regulation 11(a) or regulation 11(c) apply, the Welsh Ministers must not make any payments of support to a student after the date on which the student stops attending the course unless they consider it appropriate to do so taking into account the circumstances of the student's case.

(6) The Welsh Ministers must not make any payments of support to a student who is absent from the course—

- (a) for more than 60 days due to illness; or
- (b) for any period for any other reason,

unless they consider that it is appropriate to do so taking into account the circumstances of the student's case.

Commencement Information

I29 [Reg. 29](#) in force at 5.12.2014, see [reg. 1](#)

Overpayments

30. An eligible student must, if required to do so by the Welsh Ministers, repay any amount paid to that student under Part 4 which for whatever reason exceeds the amount of support to which that student is entitled under Part 4.

Commencement Information

I30 [Reg. 30](#) in force at 5.12.2014, see [reg. 1](#)

Huw Lewis
Minister for Education and Skills, one of the
Welsh Ministers

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Education (European University Institute) (Wales) Regulations 2014. Any changes that have already been made by the team appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to :

- Sch. 1 para. 4ZB heading words substituted by S.I. 2024/810 reg. 7(a)
- Sch. 1 para. 4ZB(1)(a) words substituted by S.I. 2024/810 reg. 7(b)
- Sch. 1 para. 4ZB(2)(a) words substituted by S.I. 2024/810 reg. 7(c)
- Sch. 1 para. 4ZB(2)(b) words substituted by S.I. 2024/810 reg. 7(d)
- Sch. 1 para. 4ZB(2)(c) words substituted by S.I. 2024/810 reg. 7(e)
- Sch. 1 para. 4ZB(3) words substituted by S.I. 2024/810 reg. 7(f)
- reg. 3(1) words inserted by S.I. 2024/810 reg. 5(c)
- reg. 3(1) words inserted by S.I. 2024/810 reg. 5(d)
- reg. 3(1) words substituted by S.I. 2024/810 reg. 5(a)
- reg. 3(1) words substituted by S.I. 2024/810 reg. 5(b)
- reg. 6(10D)(a) words substituted by S.I. 2024/810 reg. 6(a)
- reg. 6(10D)(b) words substituted by S.I. 2024/810 reg. 6(b)