
WELSH STATUTORY INSTRUMENTS

2018 No. 191

The Education (Student Support) (Wales) Regulations 2018

PART 12

QUALIFYING FOR SUPPORT DURING THE ACADEMIC YEAR

Qualifying for a tuition fee loan during the academic year

80.—(1) Where one of the events listed in paragraph (2) occurs within 3 months of the first day of the academic year, the student may qualify for a tuition fee loan in respect of that academic year.

(2) The events are—

- (a) the present course becomes a designated course;
- (b) the student becomes an eligible student on the grounds that—
 - (i) the student or the student's spouse, civil partner or parent is recognised as a refugee or [^{F1}becomes a person granted stateless leave or] becomes a person with leave to enter or remain;
 - [^{F2}(ia) the student or the student's parent becomes a person with section 67 leave to remain;]
 - (ii) a state accedes to the European Union where the student is a national of that state or a family member of a national of that state;
 - (iii) the student becomes a family member of an EU national;
 - (iv) the student acquires the right of permanent residence;
 - (v) the student becomes a child of a Turkish worker;
 - (vi) the student becomes a person described in paragraph 4(1)(a) of Schedule 2;
 - (vii) the student becomes the child of a Swiss national.

(3) In this regulation and regulation 81, the following terms have the same meaning as in Schedule 2—

“child” (“*plentyn*”);

“family member” (“*aelod o deulu*”) (within the meaning given by paragraph 6(5) of Schedule 2);

“parent” (“*rhiant*”);

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

“person with leave to enter or remain” (“*person sydd â chaniatâd i ddod i mewn neu i aros*”);

[^{F4}“person with section 67 leave to remain” (“*person sydd â chaniatâd i aros o dan adran 67*”);]

“refugee” (“*ffoadur*”);

“right of permanent residence” (“*hawl i breswyllo'n barhaol*”);

“Turkish worker” (“*gweithiwr Twrcaidd*”).

Status: Point in time view as at 02/03/2020.

Changes to legislation: There are currently no known outstanding effects for the The Education (Student Support) (Wales) Regulations 2018, PART 12. (See end of Document for details)

Textual Amendments

- F1** Words in reg. 80(2)(b)(i) inserted (30.7.2018) by [The Education \(Student Finance\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2018 \(S.I. 2018/814\)](#), regs. 1(2), **13(a)**
- F2** [Reg. 80\(2\)\(b\)\(ia\)](#) 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), **52(a)**
- F3** Words in reg. 80(3) inserted (30.7.2018) by [The Education \(Student Finance\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2018 \(S.I. 2018/814\)](#), regs. 1(2), **13(b)**
- F4** Words in [reg. 80\(3\)](#) 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), **52(b)**

Qualifying for grants or maintenance loan during the academic year

81.—(1) Where one of the events in paragraph (3) occurs, the eligible student may qualify for a grant or maintenance loan.

(2) But the amount of grant or loan payable to the eligible student—

[^{F5}(a) will only, in the case of a grant, be in respect of the remaining days of the academic year, and, in the case of a maintenance loan, only be in respect of the remaining term days of the academic year, in either case beginning with the day the relevant event occurs, and]

(b) in relation to a maintenance loan, will only be payable if it is a quarter in respect of which the loan would otherwise be payable under regulation 85(6) and (7).

(3) The events are—

(a) the student's course becomes a designated course;

(b) the student becomes an eligible student on the grounds that—

(i) the student or the student's spouse, civil partner or parent is recognised as a refugee or [^{F6}becomes a person granted stateless leave or] becomes a person with leave to enter or remain;

[^{F7}(ia) the student or the student's parent becomes a person with section 67 leave to remain;]

(ii) a state of which the student is a national accedes to the European Union where the student has been ordinarily resident in the United Kingdom and Islands throughout the three year period immediately preceding the first day of the first academic year of the course;

(iii) the student acquires the right of permanent residence;

(iv) the student becomes a child of a Turkish worker;

(v) the student becomes a person described in paragraph 4(1)(a) of Schedule 2;

(vi) the student becomes the child of a Swiss national.

Textual Amendments

- F5** [Reg. 81\(2\)\(a\)](#) substituted (1.8.2018) by [The Education \(Student Support\) \(Wales\) \(Amendment\) Regulations 2018 \(S.I. 2018/813\)](#), regs. 1(2), **7**
- F6** Words in [reg. 81\(3\)\(b\)\(i\)](#) inserted (30.7.2018) by [The Education \(Student Finance\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2018 \(S.I. 2018/814\)](#), regs. 1(2), **14**

- F7** Reg. 81(3)(b)(ia) 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), **53**

Status:

Point in time view as at 02/03/2020.

Changes to legislation:

There are currently no known outstanding effects for the The Education (Student Support) (Wales) Regulations 2018, PART 12.