

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—

[^{F1}(i) the student or the student’s spouse, civil partner or parent is recognised as a refugee, becomes a person granted stateless leave, becomes a person with leave to enter or remain or becomes a person granted humanitarian protection under paragraph 339C of the immigration rules;]

[^{F2}(ia) the student or the student’s parent becomes a person with section 67 leave to remain [^{F3}or a person granted leave to remain as a protected partner];]

[^{F4}(ib) the student becomes a person with Calais leave;]

[^{F5}(ic) the student becomes a person with leave to enter or remain as a relevant Afghan citizen;]

[^{F6}(ii)]

[^{F7}(iii) the student becomes a family member described in paragraph 6A(1)(a), 6C(1)(a) or 6D(a) of Schedule 2;]

[^{F8}(iv) the student becomes a person described in paragraph 1(2)(a) of Schedule 2;]

[^{F9}(v) where regulation 9(1A)(a) applies, [^{F10}the student becomes a person] described in paragraph 8(1)(a) of Schedule 2;]

(vi) the student becomes a person described in [^{F11}paragraph 4A(1)(a) of Schedule 2 or, where regulation 9(1A)(a) applies, in] paragraph 4(1)(a) of Schedule 2;

[^{F12}(vii) the student becomes a person described in paragraph 7A(a) of Schedule 2 or, where regulation 9(1A)(a) applies, in paragraph 7(1)(a) of Schedule 2; or]

[^{F13}(viii) the student becomes a person described in paragraph 6B(1)(a)(ii) of Schedule 2.]

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

^{F14} ...

“family member” (“*aelod o deulu*”) ^{F15} ...;

Status: Point in time view as at 23/02/2022.

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)

[^{F16}“immigration rules” (“*rheolau mewnfudo*”);]

“parent” (“*rhiant*”);

[^{F17}“person granted leave to remain as a protected partner” (“*person y rhoddwyd caniatâd iddo aros fel partner a ddiogelir*”);]

[^{F18}“person granted stateless leave” (“*person y rhoddwyd caniatâd iddo aros fel person diwladwriaeth*”);]

[^{F17}“person with Calais leave” (“*person sydd â chaniatâd Calais*”);]

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

[^{F19}“person with leave to enter or remain as a relevant Afghan citizen”];

[^{F20}“person with section 67 leave to remain” (“*person sydd â chaniatâd i aros o dan adran 67*”);]

“refugee” (“*ffoadur*”);

F21 ...

F22 ...

Textual Amendments

- F1** Reg. 80(2)(b)(i) substituted (28.1.2021) by The Education (Student Fees, Awards and Support) (Ordinary Residence) (Wales) Regulations 2021 (S.I. 2021/9), regs. 1(2), **43(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(2)(b)(ia) inserted (with application in accordance with reg. 2 of the amending S.I.) by The Education (Student Finance) (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2021 (S.I. 2021/481), regs. 1(2), **125(a)(i)**
- F4** Reg. 80(2)(b)(ib) inserted (with application in accordance with reg. 2 of the amending S.I.) by The Education (Student Finance) (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2021 (S.I. 2021/481), regs. 1(2), **125(a)(ii)**
- F5** Reg. 80(2)(b)(ic) inserted (with application in accordance with reg. 2 of the amending S.I.) by The Education (Student Finance) (Miscellaneous Amendments) (Wales) Regulations 2022 (S.I. 2022/79), regs. 1(2), **36(a)**
- F6** Reg. 80(2)(b)(ii) omitted (with application in accordance with reg. 2 of the amending S.I.) by virtue of The Education (Student Finance) (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2021 (S.I. 2021/481), regs. 1(2), **125(a)(iii)**
- F7** Reg. 80(2)(b)(iii) substituted (with application in accordance with reg. 2 of the amending S.I.) by The Education (Student Finance) (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2021 (S.I. 2021/481), regs. 1(2), **125(a)(iv)**
- F8** Reg. 80(2)(b)(iv) substituted (31.12.2020) by The Education (Student Finance) (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1302), regs. 1(3), **29(b)**
- F9** Reg. 80(2)(b)(v) substituted (with application in accordance with reg. 2 of the amending S.I.) by The Education (Student Finance) (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2021 (S.I. 2021/481), regs. 1(2), **125(a)(v)**
- F10** Words in reg. 80(2)(b)(v) substituted (1.8.2021) by The Education (Student Finance) (Miscellaneous Amendments) (Wales) Regulations 2021 (S.I. 2021/813), regs. 1(2), **10(a)**
- F11** Words in reg. 80(2)(b)(vi) inserted (with application in accordance with reg. 2 of the amending S.I.) by The Education (Student Finance) (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2021 (S.I. 2021/481), regs. 1(2), **125(a)(vi)**

- F12** Reg. 80(2)(b)(vii) substituted (with application in accordance with reg. 2 of the amending S.I.) by The Education (Student Finance) (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2021 (S.I. 2021/481), regs. 1(2), **125(a)(vii)**
- F13** Reg. 80(2)(b)(viii) inserted (with application in accordance with reg. 2 of the amending S.I.) by The Education (Student Finance) (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2021 (S.I. 2021/481), regs. 1(2), **125(a)(viii)**
- F14** Words in reg. 80(3) omitted (with application in accordance with reg. 2 of the amending S.I.) by virtue of The Education (Student Finance) (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2021 (S.I. 2021/481), regs. 1(2), **125(b)(i)**
- F15** Words in reg. 80(3) omitted (with application in accordance with reg. 2 of the amending S.I.) by virtue of The Education (Student Finance) (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2021 (S.I. 2021/481), regs. 1(2), **125(b)(ii)**
- F16** Words in reg. 80(3) inserted (28.1.2021) by The Education (Student Fees, Awards and Support) (Ordinary Residence) (Wales) Regulations 2021 (S.I. 2021/9), regs. 1(2), **43(b)**
- F17** Words in reg. 80(3) inserted (with application in accordance with reg. 2 of the amending S.I.) by The Education (Student Finance) (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2021 (S.I. 2021/481), regs. 1(2), **125(b)(v)**
- F18** 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)**
- F19** Words in reg. 80(3) inserted (with application in accordance with reg. 2 of the amending S.I.) by The Education (Student Finance) (Miscellaneous Amendments) (Wales) Regulations 2022 (S.I. 2022/79), regs. 1(2), **36(b)**
- F20** 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)**
- F21** Words in reg. 80(3) omitted (with application in accordance with reg. 2 of the amending S.I.) by virtue of The Education (Student Finance) (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2021 (S.I. 2021/481), regs. 1(2), **125(b)(iii)**
- F22** Words in reg. 80(3) omitted (with application in accordance with reg. 2 of the amending S.I.) by virtue of The Education (Student Finance) (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2021 (S.I. 2021/481), regs. 1(2), **125(b)(iv)**

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—

[^{F23}(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—

[^{F24}(i) the student or the student's spouse, civil partner or parent is recognised as a refugee, becomes a person granted stateless leave, becomes a person with leave to enter or remain or becomes a person granted humanitarian protection under paragraph 339C of the immigration rules;]

Status: Point in time view as at 23/02/2022.

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)

- [^{F25}(ia) the student or the student’s parent becomes a person with section 67 leave to remain [^{F26}or a person with leave to remain as a protected partner];]
- [^{F27}(ib) the student becomes a person with Calais leave;]
- [^{F28}(ic) the student becomes a person with leave to enter or remain as a relevant Afghan citizen;]
- ^{F29}(ii)
- [^{F30}(iii) the student becomes a person described in paragraph 1(2)(a) of Schedule 2;]
- [^{F31}(iv) where regulation 9(1A)(a) applies, [^{F32}the student becomes a person] described in paragraph 8(1)(a) of Schedule 2;]
- (v) the student becomes a person described in [^{F33}paragraph 4A(1)(a) of Schedule 2 or, where regulation 9(1A)(a) applies, in] paragraph 4(1)(a) of Schedule 2;
- [^{F34}(vi) the student becomes a person described in paragraph 7A(a) of Schedule 2 or, where regulation 9(1A)(a) applies, in paragraph 7(1)(a) of Schedule 2;]
- [^{F35}(vii) the student becomes a person described in paragraph 6B(1)(a)(ii) of Schedule 2.]

Textual Amendments

- F23** 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**
- F24** Reg. 81(3)(b)(i) substituted (28.1.2021) by [The Education \(Student Fees, Awards and Support\) \(Ordinary Residence\) \(Wales\) Regulations 2021 \(S.I. 2021/9\)](#), regs. 1(2), **44**
- F25** 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**
- F26** Words in reg. 81(3)(b)(ia) inserted (with application in accordance with reg. 2 of the amending S.I.) by [The Education \(Student Finance\) \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2021 \(S.I. 2021/481\)](#), regs. 1(2), **126(a)**
- F27** Reg. 81(3)(b)(ib) inserted (with application in accordance with reg. 2 of the amending S.I.) by [The Education \(Student Finance\) \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2021 \(S.I. 2021/481\)](#), regs. 1(2), **126(b)**
- F28** Reg. 81(3)(b)(ic) inserted (with application in accordance with reg. 2 of the amending S.I.) by [The Education \(Student Finance\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2022 \(S.I. 2022/79\)](#), regs. 1(2), **37**
- F29** Reg. 81(3)(b)(ii) omitted (with application in accordance with reg. 2 of the amending S.I.) by virtue of [The Education \(Student Finance\) \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2021 \(S.I. 2021/481\)](#), regs. 1(2), **126(c)**
- F30** Reg. 81(3)(b)(iii) substituted (31.12.2020) by [The Education \(Student Finance\) \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1302\)](#), regs. 1(3), **30**
- F31** Reg. 81(3)(b)(iv) substituted (with application in accordance with reg. 2 of the amending S.I.) by [The Education \(Student Finance\) \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2021 \(S.I. 2021/481\)](#), regs. 1(2), **126(d)**
- F32** Words in reg. 81(3)(b)(iv) substituted (1.8.2021) by [The Education \(Student Finance\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2021 \(S.I. 2021/813\)](#), regs. 1(2), **10(b)**
- F33** Words in reg. 81(3)(b)(v) inserted (with application in accordance with reg. 2 of the amending S.I.) by [The Education \(Student Finance\) \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2021 \(S.I. 2021/481\)](#), regs. 1(2), **126(e)**
- F34** Reg. 81(3)(b)(vi) substituted (with application in accordance with reg. 2 of the amending S.I.) by [The Education \(Student Finance\) \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2021 \(S.I. 2021/481\)](#), regs. 1(2), **126(f)**

F35 Reg. 81(3)(b)(vii) inserted (with application in accordance with reg. 2 of the amending S.I.) by The Education (Student Finance) (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2021 (S.I. 2021/481), regs. 1(2), **126(g)**

Status:

Point in time view as at 23/02/2022.

Changes to legislation:

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