

WELSH STATUTORY INSTRUMENTS

**2018 No. 191**

**The Education (Student Support) (Wales) Regulations 2018**

**PART 4**

KEY CONCEPTS

CHAPTER 2

ELIGIBILITY

*SECTION 3*

*Termination of eligibility*

**[<sup>F1</sup>Persons who cease to have section 67 leave to remain**

**23A.**—(1) This regulation applies where—

- (a) a person (“P”) was [<sup>F2</sup>an eligible student as a result of being a person with section 67 leave to remain] (see Schedule 2) in connection with an application for support—
  - (i) for an earlier year of the present course,
  - (ii) for a full-time course in relation to which the present course is a full-time end-on course, or
  - (iii) for a course from which P’s status as an eligible student has been transferred to the present course under regulation 28 or paragraph 7 of Schedule 5, and
- (b) as at the end of the day before the first day of the academic year in respect of which P is applying for support, the period for which—
  - (i) P, or
  - (ii) the person who, as a result of having section 67 leave to remain, caused P to be [<sup>F3</sup>an eligible student],

is allowed to stay in the United Kingdom has expired and 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).

(2) Where this regulation applies, P’s status as an eligible student terminates immediately before the first day of the academic year in respect of which P is applying for support.]

**Textual Amendments**

- F1** [Reg. 23A](#) 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), **43**

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**Changes to legislation:** There are currently no known outstanding effects for the The Education (Student Support) (Wales) Regulations 2018, Section 23A. (See end of Document for details)

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- F2** Words in reg. 23A(1)(a) 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), **119(a)**
- F3** Words in reg. 23A(1)(b)(ii) 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), **119(b)**

**Changes to legislation:**

There are currently no known outstanding effects for the The Education (Student Support) (Wales) Regulations 2018, Section 23A.