

SCHEDULES

SCHEDULE 2

Categories of eligible student

Interpretation

11. In this Schedule—

“Directive 2004/38” (“*Cyfarwyddeb 2004/38*”) means Directive [2004/38/EC](#) of the European Parliament and of the Council of 29th April 2004 on the rights of citizens of the Union and their family members to move and reside freely in the territory of the member States ^{M1};

“EEA” (“*AEE*”) means the European Economic Area, that is to say the territory comprised by the EEA States;

[^{F1}“immigration rules” (“*rheolau mewnfudo*”) means the rules laid before Parliament by the Secretary of State under section 3(2) of the Immigration Act 1971;]

“Islands” (“*Ynysoedd*”) means the Channel Islands and the Isle of Man;

“parent” (“*rhiant*”) includes a guardian, any other person having parental responsibility for a child and any person having care of a child and “child” is to be construed accordingly;

“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 ^{M2} as extended by its 1967 Protocol ^{M3};

“right of permanent residence” (“*hawl i breswyllo'n barhaol*”) means a right arising under Directive 2004/38 to reside in the United Kingdom permanently without restriction;

“settled” (“*wedi setlo*”) has the meaning given by section 33(2A) of the Immigration Act 1971 ^{M4};

“Swiss Agreement” (“*Cytundeb y Swistir*”) means the Agreement between the EU and its Member States, of the one part, and the Swiss Confederation of the other, on the Free Movement of Persons signed at Luxembourg on 21 June 1999 ^{M5} and which came into force on 1 June 2002.

Textual Amendments

- F1** Words in [Sch. 2 para. 11](#) inserted (30.7.2018) by [The Education \(Student Finance\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2018 \(S.I. 2018/814\)](#), regs. 1(2), **16(c)**

Marginal Citations

- M1** OJ No L158, 30.04.2004, p.77-123.
M2 Cmnd. 9171.
M3 Cmnd. 3906, the Protocol entered into force on 4 October 1967.
M4 [1971 c.77](#); section 33(2A) was inserted by paragraph 7 of Schedule 4 to the [British Nationality Act 1981 \(c. 61\)](#).
M5 Cm. 4904 and OJ No L1 14, 30.04.02, p6.

Status:

Point in time view as at 01/08/2018. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the The Education (Student Support) (Wales) Regulations 2018, Paragraph 11.