
WELSH STATUTORY INSTRUMENTS

2018 No. 814

**The Education (Student Finance) (Miscellaneous
Amendments) (Wales) Regulations 2018**

Part 4

Amendments relating to the immigration status of students

Amendments to the Education (European University Institute) (Wales) Regulations 2014

43. In regulation 3—

(a) in the appropriate places insert—

““immigration rules” (*“rheolau mewnfudo”*) means the rules laid before Parliament by the Secretary of State under section 3(2) of the Immigration Act 1971;” and

““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;”;

(b) for paragraphs (a) and (b) of the definition of “person with leave to enter or remain”, substitute—

“(a) 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 humanitarian protection or 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;
- (iii) been granted leave to remain on the grounds of private life under the immigration rules; or
- (iv) 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 life under the immigration rules, A has been granted leave to remain outside the

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rules⁽¹⁾ on the grounds of Article 8 of the European Convention on Human Rights;”.

(1) Paragraph 276BE(2) of the immigration rules refers.