
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 (Postgraduate Doctoral Degree Loans) (Wales) Regulations 2018

55. In regulation 2 (interpretation), in paragraph (1), 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 rules⁽¹⁾ on the grounds of Article 8 of the European Convention on Human Rights;”.

⁽¹⁾ Paragraph 376BE(2) of the immigration rules refers.