
WELSH STATUTORY INSTRUMENTS

2019 No. 235

**The Education (Student Finance) (Miscellaneous
Amendments) (Wales) Regulations 2019**

PART 3

**AMENDMENTS TO THE EDUCATION (EUROPEAN
UNIVERSITY INSTITUTE) (WALES) REGULATIONS 2014**

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

7. The Education (European University Institute) (Wales) Regulations 2014(1) are amended in accordance with regulations 8 to 10.

Amendments to regulation 3

8. In regulation 3, in the appropriate places insert—

- (a) ““Islands” (*“Ynysoedd”*) means the Channel Islands and the Isle of Man;”
- (b) ““person with section 67 leave to remain” (*“person sydd â chaniatâd i aros o dan adran 67”*) means a person who—
 - (a) has extant leave to remain in the United Kingdom under section 67 of the Immigration Act 2016 and in accordance with 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;”.

Amendments to regulation 6

9. In regulation 6 (eligible students)—

- (a) after paragraph (10) insert—
 - “(10A) Where—
 - (a) the Welsh Ministers determined that, by virtue of being a person with section 67 leave to remain or the child of such a person, a person (“A” in this paragraph) was an eligible student in connection with an application for support for an earlier year of the current course or in connection with an application for support for a designated course at the Institute from which A’s status as an eligible student has been transferred to the current course; and
 - (b) the period for which a person with section 67 leave to remain is allowed to stay in the United Kingdom is due to expire before the first day of the academic year in respect of which A is applying for support and, as at the day before that academic year begins, 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),

A's status as an eligible student terminates on the day before the first day of the academic year in respect of which A is applying for support.”;

- (b) in paragraph (11), for “Paragraphs (9) and (10)” substitute “Paragraphs (9), (9A), (10) and (10A)”.

Amendment to Schedule 1

10. In Schedule 1, after paragraph 5 insert—

“Persons with section 67 leave to remain

5A.—(1) A person who—

- (a) is a person with section 67 leave to remain;
- (b) is ordinarily resident in Wales on the first day of the first academic year of the course; and
- (c) has been ordinarily resident in the United Kingdom and Islands throughout the three-year period preceding the first day of the first academic year of the course.

(2) A person who—

- (a) is the child of a person with section 67 leave to remain;
- (b) on the leave application date was under 18 years old and was the child of the person with section 67 leave to remain;
- (c) is ordinarily resident in Wales on the first day of the first academic year of the course; and
- (d) has been ordinarily resident in the United Kingdom and Islands throughout the three-year period preceding the first day of the first academic year of the course.

(3) In this paragraph—

“leave application date” means the date on which the person with section 67 leave to remain made the application that led to that person being granted leave to remain in the United Kingdom.”