
WELSH STATUTORY INSTRUMENTS

2019 No. 235

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

PART 4

**AMENDMENTS TO THE HIGHER EDUCATION
(QUALIFYING COURSES, QUALIFYING PERSONS AND
SUPPLEMENTARY PROVISION) (WALES) REGULATIONS 2015**

**Amendments to the Higher Education (Qualifying Courses, Qualifying Persons and
Supplementary Provision) (Wales) Regulations 2015**

11. The Higher Education (Qualifying Courses, Qualifying Persons and Supplementary Provision) (Wales) Regulations 2015(1) are amended in accordance with regulation 12 and 13.

12. For “United Kingdom and Islands” in each place in which it occurs, substitute “United Kingdom and the Islands”.

Amendments to the Schedule

13. In the Schedule—

(a) in paragraph 1(1), in the appropriate place insert—

““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 the Islands throughout the period since the person was granted such leave;”;

(b) in paragraph 4A for “Wales” in each place in which it occurs, substitute “the United Kingdom”;

(c) after paragraph 5 (persons with leave to enter or remain and their family members) 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 the United Kingdom on the first day of the first academic year of the course; and

- (c) has been ordinarily resident in the United Kingdom and the 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 the United Kingdom on the first day of the first academic year of the course; and
 - (d) has been ordinarily resident in the United Kingdom and the 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.”