
WELSH STATUTORY INSTRUMENTS

2019 No. 235

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

PART 5

**AMENDMENTS TO THE EDUCATION (STUDENT
SUPPORT) (WALES) REGULATIONS 2017**

Amendments to regulation 2

15. In regulation 2 (interpretation), paragraph (1)—

- (a) omit the definition of “English regulated institution”;
- (b) in the appropriate place insert—

“(i) “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;”;
- (i) “protected English provider” (“*darparwr Seisnig gwarchoddedig*”) means an institution which on or after 1 August 2018 but before 1 August 2019 was maintained or assisted by recurrent grants pursuant to section 65 of the Further and Higher Education Act 1992 other than an institution maintained or assisted by recurrent grants made by the Higher Education Funding Council for Wales;”(1)

(c) for the definition of “recognised educational institution” substitute—

““recognised educational institution” (“*sefydliad addysgol cydnabyddedig*”) means—

- (a) a Welsh regulated institution;
- (b) a protected English provider; or
- (c) an institution maintained or assisted by recurrent grants out of public funds that is wholly or mainly situated in Scotland or Northern Ireland;”.

(1) 1992 c. 13 as amended by section 27 of the Teaching and Higher Education Act 1998 (c. 30), S.I. 2010/1158 and section 122 and Schedule 11 to the Higher Education and Research Act 2017 (c. 29). Despite the amendment made by the Higher Education and Research Act 2017, S.I. 2018/245 provides that, for the period which begins 1 April 2018 and ends 31 July 2019, section 65(1) to (4) of the Further and Higher Education Act 1992 continues to apply as if paragraph 15 of Schedule 11 to the Higher Education and Research Act 2017 had not been commenced but as if the reference to “matters within the responsibility of the Higher Education Funding Council for England” in section 62(6)(a) of that 1992 Act were a reference to “matters within the responsibility of the Office for Students and, where applicable, United Kingdom Research and Innovation”. The Office for Students is a body corporate established by section 1 of the Higher Education and Research Act 2017.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
