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WELSH STATUTORY INSTRUMENTS

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**2019 No. 235**

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

**PART 6**

**AMENDMENTS TO THE EDUCATION (STUDENT  
SUPPORT) (WALES) REGULATIONS 2018**

**Amendments to regulation 6**

**42.** In regulation 6 (designated courses – conditions)—

(a) for condition 4 substitute—

*“Condition 4*

- (a) Where the course is a full-time course that begins before 1 August 2019, it is provided—
  - (i) by a Welsh regulated institution, a protected English provider, a Scottish funded institution or a Northern Irish funded institution (whether alone or in conjunction with an institution outside the United Kingdom),
  - (ii) by a charity within the meaning given by section 1 of the Charities Act 2011 on behalf of a Welsh regulated institution, or
  - (iii) on behalf of a protected English provider by an institution that was before 1 August 2019 a publicly funded institution.
- (b) Where the course is a part-time course that begins before 1 August 2019, it is provided by an institution that before 1 August 2019 was a publicly funded institution (whether alone or in conjunction with an institution situated outside the United Kingdom).
- (c) Where the course is a full-time course that begins on or after 1 August 2019 it is provided by—
  - (i) a Welsh regulated institution, an English regulated institution, a Scottish funded institution or a Northern Irish funded institution (whether alone or in conjunction with an institution situated outside the United Kingdom),
  - (ii) a charity within the meaning given by section 1 of the Charities Act 2011 on behalf of a Welsh regulated institution, or
  - (iii) a registered English institution on behalf of an English plan provider.
- (d) Where the course is a part-time course that begins on or after 1 August 2019 it is provided by—
  - (i) a Welsh funded institution, a Scottish funded institution, a Northern Irish funded institution or an English regulated institution (whether alone or in conjunction with an institution situated outside the United Kingdom), or

- (ii) a registered English institution on behalf of an English plan provider.”;
- (b) for paragraph (2)(c) substitute—
  - “(c) an institution is not regarded as a Welsh funded institution or a publicly funded institution by reason only that—
    - (i) where the course begins before 1 August 2019, it was a connected institution which received a relevant payment before that date, or
    - (ii) where the course begins on or after 1 August 2019, it is a connected institution which receives a relevant payment.”;
- (c) after paragraph (2) insert—
  - “(2A) For the purpose of paragraph (2)—
    - (a) “a connected institution” means a connected institution within the meaning of section 65(3B) of the Further and Higher Education Act 1992, and
    - (b) “a relevant payment” means the payment of the whole or part of any grant, loan or other payment from the governing body of an institution which is provided to the connected institution in accordance with section 65(3A) of the Further and Higher Education Act 1992.”