
WELSH STATUTORY INSTRUMENTS

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 the Schedules

57. In Schedule 4—

(a) in paragraph 2(1) for condition 4 substitute—

“Condition 4

- (a) where the course begins before 1 August 2019, it is provided by an institution that before 1 August 2019 was a publicly funded institution;
- (b) where the course begins on or after 1 August 2019, it is provided by a Welsh funded institution, a Scottish funded institution, a Northern Irish funded institution or an English regulated institution.”;

(b) for paragraph 2(2)(c) substitute—

“(c) an institution is not regarded as publicly funded institution or a Welsh 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(2) insert—

“(3) For the purposes of sub-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.”;

(d) after paragraph 13 insert—

“Persons who cease to have section 67 leave to remain

13A.—(1) This paragraph applies where—

- (a) a person (“P”) was a category 3A eligible postgraduate student (see Schedule 2) in connection with an application for a disabled postgraduate student’s grant—
 - (i) for an earlier year of the present postgraduate course, or
 - (ii) in connection with a course from which P’s status as an eligible postgraduate student has been transferred to the present postgraduate course under paragraph 15, and
- (b) as at the end of the day before the first day of the academic year in respect of which P is applying for a disabled postgraduate student’s grant, the period for which—
 - (i) P, or
 - (ii) the person who, as a result of being a person with section 67 leave to remain, caused P to be a category 3A eligible postgraduate student,

is allowed to stay in the United Kingdom has expired and 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).

(2) Where this paragraph applies, P’s status as an eligible postgraduate student terminates immediately before the first day of the academic year in respect of which P is applying for a disabled postgraduate student’s grant.”;

- (e) in paragraph 14, after sub-paragraph (3)(b)(i) insert—
 - “(ia) the student or the student’s parent becomes a person with section 67 leave to remain;”;
- (f) in paragraph 14, sub-paragraph (4), in the appropriate place insert—
 - ““person with section 67 leave to remain” (“*person sydd â chaniatâd i aros o dan adran 67*”);”;
- (g) in paragraph 20 for “£10,590” substitute “£20,000”.