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WELSH STATUTORY INSTRUMENTS

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**2021 No. 481**

**The Education (Student Finance) (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2021**

**PART 7**

**AMENDMENTS TO THE EDUCATION (POSTGRADUATE DOCTORAL DEGREE LOANS) (WALES) REGULATIONS 2018**

**Amendments to the Education (Postgraduate Doctoral Degree Loans) (Wales) Regulations 2018**

**157.** In Schedule 1, in paragraph 1 (interpretation)—

(a) in sub-paragraph (1)—

(i) omit the definitions of “EEA EFTA separation agreement”, “residence scheme immigration rules”, “right of permanent residence” and “Swiss citizens’ rights agreement”;

(ii) in the definition of “family member”—

(aa) in paragraph (a), for “or an EEA self-employed person” substitute “, an EEA self-employed person or a relevant person of Northern Ireland who is treated as an EEA migrant worker or an EEA self-employed person by virtue of paragraph 7A(3)”;

(bb) in paragraph (c), after “Directive 2004/38” insert “or, for the purposes of paragraph 10A, in relation to a relevant person of Northern Ireland who would fall within Article 7(1)(c) of Directive 2004/38 if that person were an EU national or solely an EU national”;

(cc) in paragraph (d), after “Directive 2004/38” insert “or, for the purposes of paragraph 10A, in relation to a relevant person of Northern Ireland who would fall within Article 7(1)(b) of Directive 2004/38 if that person were an EU national or solely an EU national”;

(dd) in paragraph (e), for “paragraph 10” substitute “paragraphs 10, 10B, 10C and 10D”;

(iii) at the appropriate place insert—

““United Kingdom national” (“*gwladolyn o’r Deyrnas Unedig*”) has the meaning given by Article 2(d) of the EU withdrawal agreement;”;

(b) after sub-paragraph (1) insert—

“(1A) For the purposes of this Schedule, a reference to a “Member State” or “State” in Article 7 of Directive 2004/38 is to be read as including the United Kingdom.”;

(c) in sub-paragraph (4), after “Islands”, in each place it occurs, insert “, the territory comprising the United Kingdom, Islands and the Republic of Ireland”;

- (d) in sub-paragraph (5)—
  - (i) after “Islands” insert “, the territory comprising the United Kingdom, Islands and the Republic of Ireland”;
  - (ii) after paragraph (a)—
    - (aa) omit “and”;
    - (bb) insert—
      - “(aa) in the case of members of the regular armed forces of the Republic of Ireland, any period which they serve outside the territory comprising the United Kingdom, Islands and the Republic of Ireland as members of such forces;”.