
WELSH STATUTORY INSTRUMENTS

2022 No. 764

**The Education (Student Finance) (Ukrainian
Nationals and Family Members) (Miscellaneous
Amendments) (Wales) Regulations 2022**

PART 6

Amendments to the Education (Student Support) (Wales) Regulations 2018

Introduction

36. The Education (Student Support) (Wales) Regulations 2018(1) are amended in accordance with this Part.

Amendment to regulation 9

37. In regulation 9(1)(a)(i), after “2ZB,” insert “2ZC,”.

Amendment to regulation 12

38. In regulation 12(1), for “23E or 23F” substitute “23E, 23F or 23G”.

Insertion of new regulation 23G

39. After regulation 23F insert—

“**23G.**—(1) This regulation applies where—

- (a) a person (“P”) was an eligible student as a result of being a protected Ukrainian national (see Schedule 2, paragraph 2ZC) in connection with an application for support—
 - (i) for an earlier year of the present course,
 - (ii) for a full-time course in relation to which the present course is a full-time end-on course, or
 - (iii) for a course from which P’s status as an eligible student has been transferred to the present course under regulation 28 or paragraph 7 of Schedule 5, 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 support, the period for which P is allowed to stay in the United Kingdom has expired and no further leave to remain has been granted.

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

(1) S.I. 2018/191 (W. 42); relevant amendments are S.I. 2018/814 (W. 165), S.I. 2019/235 (W. 54), S.I. 2020/1302 (W. 287), S.I. 2021/9 (W. 4), S.I. 2021/481 (W. 148), S.I. 2021/813 (W. 192), S.I. 2021/1365 (W. 360) and S.I. 2022/79 (W. 28).

Amendment to regulation 69

40. In regulation 69, in paragraph (2), omit Exception 5.

Amendment to regulation 80

41. In regulation 80—

(a) in paragraph (2)(b), after paragraph (ic) insert—

“(id) the student becomes a protected Ukrainian national;”;

(b) in paragraph (3), at the appropriate place insert ““protected Ukrainian national” (“*gwladolyn Wcreinaidd a ddiogelir*”);”.

Amendment to regulation 81

42. In regulation 81(3)(b), after paragraph (ic) insert—

“(id) the student becomes a protected Ukrainian national;”.

Amendment to Schedule 2

43. In Schedule 2, after paragraph 2ZB insert—

“Category 2ZC – Protected Ukrainian nationals

2ZC.—(1) A person who—

(a) is a protected Ukrainian national,

(b) has been ordinarily resident in the United Kingdom and Islands throughout the period since becoming a protected Ukrainian national, and

(c) is ordinarily resident in Wales on the first day of the first academic year of the course.

(2) In this paragraph, “protected Ukrainian national” means a person granted leave to enter or remain in the United Kingdom—

(a) under paragraph 9.1 (Ukraine Family Scheme), 19.1 (Homes for Ukraine Sponsorship Scheme) or 27.1 (Ukraine Extension Scheme) of Appendix Ukraine Scheme of the immigration rules, or

(b) outside the immigration rules, where the person—

(i) was residing in Ukraine immediately before 1 January 2022, and

(ii) left Ukraine in connection with the Russian invasion which took place on 24 February 2022.”

Amendment to Schedule 4

44. In Schedule 4—

(a) in paragraph 4(1)(a)(i), after “2ZB,” insert “2ZC;”;

(b) after paragraph 13F insert—

“13G.—(1) This paragraph applies where—

(a) a person (“P”) was an eligible postgraduate student by reason of them being a protected Ukrainian national (see Schedule 2, paragraph 2ZC) 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 P is allowed to stay in the United Kingdom has expired and no further leave to remain has been granted.
- (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 support.”;
- (c) in paragraph 14—
 - (i) in sub-paragraph (3)(b), after paragraph (ic) insert—
 - “(id) the student becomes a protected Ukrainian national;”;
 - (ii) in sub-paragraph (4), at the appropriate place insert ““protected Ukrainian national” (“*gwladolyn Wcreinaidd a ddiogelir*”);”.

Amendment to Schedule 7

45. In Schedule 7, in Table 16, at the appropriate place insert the following table entry—

““protected Ukrainian national”	Schedule 2, paragraph 2ZC(2)”
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