
WELSH STATUTORY INSTRUMENTS

2022 No. 79

The Education (Student Finance) (Miscellaneous Amendments) (Wales) Regulations 2022

PART 3

Amendments to the Education (European University Institute) (Wales) Regulations 2014

CHAPTER 2

Eligibility for certain Afghan citizens

Amendment to regulation 3 (interpretation)

7. In regulation 3, at the appropriate place insert—

““person with leave to enter or remain as a relevant Afghan citizen” (*“person sydd â chaniatâd i ddod i mewn neu i aros fel dinesydd perthnasol o Affganistan”*) means a person granted—

- (a) indefinite leave to enter the United Kingdom under paragraph 276BA2 of the immigration rules, indefinite leave to remain in the United Kingdom under paragraph 276BS2 of the immigration rules or leave to enter or indefinite leave to enter the United Kingdom under paragraph 276BJ2 or 276BO2 of the immigration rules;
- (b) leave to enter or indefinite leave to enter or remain in the United Kingdom outside the immigration rules on the basis of the Afghan Relocations and Assistance Policy Scheme;
- (c) indefinite leave to enter or remain in the United Kingdom outside the immigration rules on the basis of the Afghan Citizens Resettlement Scheme; or
- (d) indefinite leave to enter or remain in the United Kingdom outside the immigration rules as the spouse, civil partner or dependent child of a person falling into paragraph (c) or dependent child of such a spouse or civil partner;”.

Amendment to regulation 6 (eligible students)

8. In regulation 6, after paragraph (10E) insert—

“(10F) Where—

- (a) the Welsh Ministers determined that, by virtue of being a person with leave to enter or remain as a relevant Afghan citizen, a person (“A”) was an eligible student in connection with an application for support for an earlier year of the current course or in connection with an application for support for a designated course at the Institute from which A’s status as an eligible student has been transferred to the current course; and

Status: This is the original version (as it was originally made).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

- (b) the period for which a person with leave to enter or remain as a relevant Afghan citizen is allowed to stay in the United Kingdom is due to expire before the first day of the academic year in respect of which A is applying for support and, as at the day before that academic year begins, no further leave to remain has been granted and no appeal is pending,

A’s status as an eligible student terminates on the day before the first day of the academic year in respect of which A is applying for support.”

Amendment to Schedule 1 (eligible students)

- 9. In Schedule 1, in paragraph 4ZA(4)(b)—
 - (a) in sub-paragraph (iii), omit the terminal “or” and after sub-paragraph (iv) insert “or”;
 - (b) after sub-paragraph (iv) insert—
 - “(v) a person with leave to enter or remain as a relevant Afghan citizen;”.