
WELSH STATUTORY INSTRUMENTS

2023 No. 1349

The Education (Student Finance) (Miscellaneous Amendments) (No. 3) (Wales) Regulations 2023

PART 3

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

CHAPTER 1

Introduction

8. The Education (European University Institute) (Wales) Regulations 2014⁽¹⁾ are amended in accordance with this Part.

CHAPTER 2

Amendments to the definition of “person with leave to enter or remain as a relevant Afghan citizen”

9. In regulation 3(1), in the definition of “person with leave to enter or remain as a relevant Afghan citizen”—

(a) for paragraph (a) substitute—

“(a) indefinite leave to enter the United Kingdom under paragraph 276BA2 of the immigration rules or indefinite leave to remain in the United Kingdom under paragraph 276BS2 of the immigration rules;”;

(b) after paragraph (a) insert—

“(aa) leave to enter or indefinite leave to enter the United Kingdom under paragraph 276BJ2 or 276BO2 of the immigration rules or paragraph ARAP 16.1 of Appendix Afghan Relocation and Assistance Policy to the immigration rules;

(ab) indefinite leave to enter the United Kingdom under paragraph ARAP 6.1 of Appendix Afghan Relocation and Assistance Policy to the immigration rules or indefinite leave to remain in the United Kingdom under paragraph ARAP 6.2 of that Appendix to the immigration rules;”.

CHAPTER 3

Family members of Afghan citizens

10. In regulation 3(1), in the definition of “person with leave to enter or remain as a relevant Afghan citizen”—

(a) omit paragraph (aa) (as inserted by regulation 9(b) of these Regulations);

(b) insert “or” after paragraph (b);

⁽¹⁾ [S.I. 2014/3037 \(W. 303\)](#), relevant amendments are [S.I. 2021/1294 \(W. 328\)](#), [S.I. 2022/79 \(W. 28\)](#) and [S.I. 2022/764 \(W. 166\)](#). There are other amending instruments but none are relevant.

- (c) omit paragraph (d) and the “or” before it.
11. In Schedule 1, in paragraph 4ZA(4)—
- (a) in paragraph (c)(i)—
- (i) omit “or” after paragraph (ab);
- (ii) after paragraph (ac) insert—
- “or
- (ad) a person with leave to enter or remain as a relevant Afghan citizen;”;
- (b) in paragraph (c)(ii)—
- (i) omit “or” after paragraph (aa);
- (ii) after paragraph (ab) insert—
- “or
- (ac) a person with leave to enter or remain as a relevant Afghan citizen;”;
- (c) in paragraph (d)—
- (i) omit “or” after sub-paragraph (i);
- (ii) at the end of sub-paragraph (ii), for the full stop substitute “; or”;
- (iii) after sub-paragraph (ii) insert—
- “(iii) a person with leave to enter or remain as a relevant Afghan citizen.”

CHAPTER 4

Family members of Ukrainian nationals

12. In regulation 6(10G)—
- (a) in sub-paragraph (a), after “Ukrainian national” insert “or the spouse, civil partner, child or step-child of such a person”;
- (b) for sub-paragraph (b) substitute—
- “(b) the period for which the person with leave to enter or remain as a protected Ukrainian national 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.”.
13. In Schedule 1, in paragraph 4ZC—
- (a) the existing text becomes sub-paragraph (1);
- (b) after that sub-paragraph insert—
- “(2) A person who—
- (a) is the spouse or civil partner of a protected Ukrainian national;
- (b) on the leave application date was the spouse or civil partner of that person;
- (c) is ordinarily resident in the United Kingdom and Islands and has not ceased to be so resident since being granted leave to remain in the United Kingdom; and
- (d) is ordinarily resident in Wales on the first day of the first academic year of the course.
- (3) A person who—
- (a) is—
- (i) the child of a protected Ukrainian national; or

- (ii) the child of a spouse or civil partner of a protected Ukrainian national;
- (b) on the leave application date was—
 - (i) under 18 years old; and
 - (ii) the child of a protected Ukrainian national or, as the case may be, the child of a person who was the spouse or civil partner of the person who was a protected Ukrainian national;
- (c) is ordinarily resident in the United Kingdom and Islands and has not ceased to be so resident since being granted leave to remain in the United Kingdom; and
- (d) is ordinarily resident in Wales on the first day of the first academic year of the course.

(4) In this paragraph, “leave application date” means the date on which the person with leave to enter or remain as a protected Ukrainian national made the application that led to that person being granted leave to enter or remain in the United Kingdom.”