
WELSH STATUTORY INSTRUMENTS

2019 No. 235

**The Education (Student Finance) (Miscellaneous
Amendments) (Wales) Regulations 2019**

PART 2

**AMENDMENTS TO THE EDUCATION (FEES
AND AWARDS) (WALES) REGULATIONS 2007**

Amendments to the Schedule

6. In the Schedule—

(a) in paragraph 1, in the appropriate place insert—

““person with section 67 leave to remain” (*“person sydd â chaniatâd i aros o dan adran 67”*) means a person who—

- (a) has extant leave to remain in the United Kingdom under section 67 of the Immigration Act 2016⁽¹⁾ and in accordance with the immigration rules⁽²⁾; and
- (b) has been ordinarily resident in the United Kingdom and the Islands throughout the period since the person was granted such leave;”;

(b) in paragraph 4A for “Wales” in each place in which it occurs, substitute “the United Kingdom”;

(c) after paragraph 5 (persons with leave to enter or remain and their family members), insert—

“Persons with section 67 leave to remain

5A.—(1) A person who—

- (a) is a person with section 67 leave to remain;
- (b) is ordinarily resident in the United Kingdom on the first day of the first academic year of the course; and
- (c) has been ordinarily resident in the United Kingdom and the Islands throughout the three-year period preceding the first day of the first academic year of the course.

(2) A person who—

- (a) is the child of a person with section 67 leave to remain;
- (b) on the leave application date was under 18 years old and was the child of the person with section 67 leave to remain;

(1) 2016 c. 19.

(2) See paragraphs 352ZG to 352ZS.

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- (c) is ordinarily resident in the United Kingdom on the first day of the first academic year of the course; and
 - (d) has been ordinarily resident in the United Kingdom and the Islands throughout the three-year period preceding the first day of the first academic year of the course.
- (3) In this paragraph—
- “leave application date” means the date on which the person with section 67 leave to remain made the application that led to that person being granted leave to remain in the United Kingdom.”