
WELSH STATUTORY INSTRUMENTS

2021 No. 481 (W. 148)

**EXITING THE EUROPEAN UNION, WALES
EDUCATION, WALES**

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

<i>Made</i>	- - - -	<i>19 April 2021</i>
<i>Laid before Senedd</i>		
<i>Cymru</i>	- - - -	<i>22 April 2021</i>
<i>Coming into force</i>		<i>25 April 2021</i>

**THE EDUCATION (STUDENT FINANCE) (MISCELLANEOUS
AMENDMENTS) (WALES) (EU EXIT) REGULATIONS 2021**

PART 1

TITLE, COMMENCEMENT AND APPLICATION

1. Title and commencement
2. Application

PART 2

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

3. Amendments to the Education (Fees and Awards) (Wales) Regulations 2007
4. In regulation 2 (interpretation)— (a) in paragraph (1), at the...
5. In regulation 4 (fee charging)— (a) for paragraph (1) substitute—...
6. In regulation 5 (awards by local authorities)—
7. (1) For the heading to regulation 6 substitute— Payments by...
8. For regulation 7 (payments by HEFCW) substitute— (1) Paragraph (2) applies where HEFCW makes grants, loans or...
9. For regulation 8 (payments by the Welsh Ministers) substitute— (1) Subject to paragraph (4), it is lawful for the...
10. In the Schedule, in paragraph 1— (a) in the definition...
11. In the Schedule, after paragraph 1 insert— For the purposes of this Schedule, a reference to a...

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12. In the Schedule, in paragraph 2 (persons who are settled...
13. In the Schedule, after paragraph 2 insert— (1) A person— (a) who is settled in the United...
14. In the Schedule, in paragraph 3— (a) the existing text...
15. In the Schedule, for paragraph 4A (persons granted stateless leave...
16. In the Schedule, after paragraph 4A insert— Persons granted leave...
17. In the Schedule, omit paragraph 5A (persons with section 67...
18. In the Schedule, after paragraph 6 (workers, employed persons, self-employed...
19. In the Schedule, in paragraph 7 (workers, employed persons, self-employed...
20. In the Schedule, after paragraph 7 insert— (1) A person with protected rights who—
21. In the Schedule, in paragraph 8(1)(b) (persons who are settled...
22. In the Schedule, after paragraph 8 insert— (1) A person who— (a) is settled in the United...
23. In the Schedule, in paragraph 9 (EU nationals)—
24. In the Schedule, after paragraph 9 insert— (1) A person with protected rights— (a) who is—
25. In the Schedule, before paragraph 10 insert the heading— EU...
26. In the Schedule, after paragraph 10 insert— A person with protected rights who— (a) is an EU...
27. In the Schedule, in paragraph 11(2) (children of Swiss nationals),...
28. In the Schedule, after paragraph 11 insert— A person with protected rights who— (a) is the child...
29. In the Schedule, after paragraph 12 (children of Turkish workers)...

PART 3

AMENDMENTS TO THE HIGHER EDUCATION (QUALIFYING COURSES, QUALIFYING PERSONS AND SUPPLEMENTARY PROVISION) (WALES) REGULATIONS 2015

30. Amendments to the Higher Education (Qualifying Courses, Qualifying Persons and Supplementary Provision) (Wales) Regulations 2015
31. In regulation 4 (prescribed description of a qualifying person)—
32. (1) In the Schedule, paragraph 1 is amended as follows...
33. In the Schedule, in paragraph 2 (persons who are settled...
34. In the Schedule, after paragraph 2 insert— (1) A person— (a) who is settled in the United...
35. In the Schedule, in paragraph 3— (a) the existing text...
36. In the Schedule, for paragraph 4A (persons granted stateless leave...
37. In the Schedule, after paragraph 4A insert— Persons granted leave...
38. In the Schedule, omit paragraph 5A (persons with section 67...
39. In the Schedule, after paragraph 6 (workers, employed persons, self-employed...
40. In the Schedule, in paragraph 7— (a) in sub-paragraph (1)—...
41. In the Schedule, after paragraph 7 insert— (1) A person with protected rights who—
42. In the Schedule, in paragraph 8(1)(b) (persons who are settled...
43. In the Schedule, after paragraph 8 insert— (1) A person who— (a) is settled in the United...
44. In the Schedule, in paragraph 9 (EU nationals)—

45. In the Schedule, after paragraph 9 insert— (1) A person with protected rights— (a) who is—
46. In the Schedule, before paragraph 10 insert the heading— EU...
47. In the Schedule, after paragraph 10 insert— A person with protected rights who— (a) is an EU...
48. In the Schedule, in paragraph 11(2) (children of Swiss nationals),...
49. In the Schedule, after paragraph 11 insert— A person with protected rights who— (a) is the child...
50. In the Schedule, after paragraph 12 (children of Turkish workers)...

PART 4

AMENDMENTS TO THE EDUCATION (STUDENT SUPPORT) (WALES) REGULATIONS 2017

51. Amendments to the Education (Student Support) (Wales) Regulations 2017
52. (1) Regulation 2 (interpretation) is amended as follows.
53. In regulation 4 (eligible students)— (a) for paragraph (2) substitute —...
54. In regulation 5(1) (designated courses)— (a) in sub-paragraph (b) (iii), omit...
55. In regulation 6 (period of eligibility)— (a) in paragraph (4)(a),...
56. In regulation 15 (events)— (a) in paragraph (ba), after “with...
57. In regulation 23 (general qualifying conditions for grants for living...
58. In regulation 41(3) (qualifying conditions for loans for living costs...
59. In regulation 49(2) (students becoming eligible during the course of...
60. Omit Part 11.
61. In regulation 81 (eligible part-time students)— (a) for paragraph (2)...
62. In regulation 82 (students becoming eligible during the course of...
63. In regulation 83(1) (designated part-time courses)— (a) at the end...
64. In regulation 94 (part-time grants for dependants – initial calculations),...
65. In regulation 103 (conversion of status), omit paragraphs (5) to...
66. In regulation 110 (eligible postgraduate students)— (a) for paragraph (3)(a)...
67. In regulation 111(2) (students becoming eligible during the course of...
68. In Schedule 1, in paragraph 1 (interpretation)—
69. In Schedule 1, in paragraph 2(1) (persons who are settled...
70. In Schedule 1, after paragraph 2 insert— (1) A person— (a) who is settled in the United...
71. In Schedule 1, in paragraph 3— (a) the existing text...
72. In Schedule 1, for paragraph 4ZA (protected persons and their...
73. In Schedule 1, after paragraph 4ZA insert— Persons granted leave...
74. In Schedule 1, omit paragraphs 4A (persons granted stateless leave...
75. In Schedule 1, after paragraph 6 (workers, employed persons, self-employed...
76. In Schedule 1, in paragraph 7— (a) in sub-paragraph (1)—...
77. In Schedule 1, after paragraph 7 insert— (1) A person with protected rights who—
78. In Schedule 1, in paragraph 8(1)(b) (persons who are settled...

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79. In Schedule 1, after paragraph 8 insert— (1) A person who— (a) is settled in the United...
80. In Schedule 1, in paragraph 9 (EU nationals)—
81. In Schedule 1, after paragraph 9 insert— (1) A person with protected rights— (a) who is—
82. In Schedule 1, before paragraph 10 insert the heading— EU...
83. In Schedule 1, after paragraph 10 insert— A person with protected rights who— (a) is an EU...
84. In Schedule 1, in paragraph 11(2) (children of Swiss nationals),...
85. In Schedule 1, after paragraph 11 insert— A person with protected rights who— (a) is the child...
86. In Schedule 1, after paragraph 12 (children of Turkish workers)...
87. In Schedule 3, in paragraph 1, omit “, eligible distance...
88. In Schedule 3, in paragraph 2, omit “, eligible distance...
89. In Schedule 4, in paragraph 3, for “paragraph 9” substitute...
90. In Schedule 4, in paragraph 6— (a) in sub-paragraph (aa),...

PART 5

AMENDMENTS TO THE EDUCATION (POSTGRADUATE MASTER’S DEGREE LOANS) (WALES) REGULATIONS 2017

91. Amendments to the Education (Postgraduate Master’s Degree Loans) (Wales) Regulations 2017
92. In regulation 2 (interpretation)— (a) in paragraph (1), at the...
93. In regulation 3 (eligible students)— (a) for paragraph (2) substitute —...
94. In regulation 8 (events)— (a) in paragraph (ba), after “a...
95. (1) In Schedule 1, paragraph 1 (interpretation) is amended as...
96. In Schedule 1, in paragraph 2 (persons who are settled...
97. In Schedule 1, after paragraph 2 insert— (1) A person— (a) who is settled in the United...
98. In Schedule 1, in paragraph 3— (a) the existing text...
99. In Schedule 1 for paragraph 4ZA (protected persons and their...
100. In Schedule 1, after paragraph 4ZA insert— Persons granted leave...
101. In Schedule 1, omit paragraphs 4A (persons granted stateless leave...
102. In Schedule 1, after paragraph 6 (workers, employed persons, self-employed...
103. In Schedule 1, in paragraph 7— (a) in sub-paragraph (1)—...
104. In Schedule 1, after paragraph 7 insert— (1) A person with protected rights who—
105. In Schedule 1, in paragraph 8(1)(b) (persons who are settled...
106. In Schedule 1, after paragraph 8 insert— (1) A person who— (a) is settled in the United...
107. In Schedule 1, in paragraph 9 (EU nationals)—
108. In Schedule 1, after paragraph 9 insert— (1) A person with protected rights— (a) who is—
109. In Schedule 1, before paragraph 10 insert the heading— EU...
110. In Schedule 1, after paragraph 10 insert— A person with protected rights who— (a) is an EU...
111. In Schedule 1, in paragraph 11(2) (children of Swiss nationals),...
112. In Schedule 1, after paragraph 11 insert— A person with protected rights who— (a) is the child...
113. In Schedule 1, after paragraph 12 (children of Turkish workers)...

PART 6

AMENDMENTS TO THE EDUCATION (STUDENT SUPPORT) (WALES) REGULATIONS 2018

114. Amendments to the Education (Student Support) (Wales) Regulations 2018
115. In regulation 9 (eligible students), for paragraph (1) substitute—
116. In regulation 10(1) (eligible students – exceptions), at the end...
117. In regulation 12(1) (period of eligibility – general rule), for...
118. In regulation 22A(1) (persons who cease to have stateless leave)—...
119. In regulation 23A(1) (persons who cease to have section 67...
120. After regulation 23A insert— Persons who cease to have Calais...
121. In regulation 44(1) (qualifying conditions for base grant and maintenance...
122. In regulation 54 (qualifying conditions for a maintenance loan -...
123. In regulation 62(2) (qualifying conditions for disabled student’s grant -...
124. In regulation 69(2) (qualifying conditions for grants for dependants -...
125. In regulation 80 (qualifying for a tuition fee loan during...
126. In regulation 81(3)(b) (qualifying for grants or maintenance loan during...
127. In Schedule 1, in paragraph 4 (meaning of Erasmus year),...
128. In Schedule 1, in paragraph 6 (interpretation of other key...
129. In Schedule 2, in paragraph 1 (category 1 – persons...
130. In Schedule 2, for paragraph 2ZA substitute— Category 2ZA -...
131. In Schedule 2, after paragraph 2ZA insert— Category 2ZB -...
132. In Schedule 2, omit paragraphs 2A (category 2A - persons...
133. In Schedule 2, in paragraph 4 (category 4 – workers,...
134. In Schedule 2, after paragraph 4 insert— Category 4A -...
135. In Schedule 2, in paragraph 5 (category 5 – persons...
136. In Schedule 2, after paragraph 5 insert— Category 5A -...
137. In Schedule 2, in paragraph 6 (category 6 – EU...
138. In Schedule 2, after paragraph 6 insert— Category 6A -...
139. In Schedule 2, in paragraph 7 (category 7 – children...
140. In Schedule 2, after paragraph 7 insert— Category 7A -...
141. In Schedule 2, in paragraph 8 (category 8 – children...
142. In Schedule 2, after paragraph 8 insert— Category 8A -...
143. In Schedule 2, in paragraph 9 (ordinary residence – additional...
144. In Schedule 2, in paragraph 11 (interpretation)—
145. In Schedule 4, in paragraph 4 (eligible postgraduate students), for...
146. In Schedule 4, in paragraph 5(1), for Exception 7 substitute—...
147. In Schedule 4, in paragraph 12A (persons who cease to...
148. In Schedule 4, in paragraph 13A (persons who cease to...
149. In Schedule 4, after paragraph 13A insert— Person who ceases...
150. In Schedule 4, in paragraph 14 (becoming eligible during an...
151. In Schedule 5, in paragraph 4 (students becoming eligible during...
152. In Schedule 7 (index of defined terms), in Table 16—...

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PART 7

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

153. Amendments to the Education (Postgraduate Doctoral Degree Loans) (Wales) Regulations 2018
154. In regulation 2 (interpretation)— (a) in paragraph (1), at the...
155. In regulation 3 (eligible students)— (a) for paragraph (2) substitute—...
156. In regulation 8 (events)— (a) in paragraph (ba), after “with...
157. In Schedule 1, in paragraph 1 (interpretation)—
158. In Schedule 1, in paragraph 2 (persons who are settled...
159. In Schedule 1, after paragraph 2 insert— (1) A person— (a) who is settled in the United...
160. In Schedule 1, in paragraph 3— (a) the existing text...
161. In Schedule 1, for paragraph 4A substitute— Protected persons and...
162. In Schedule 1, after paragraph 4A insert— Persons granted leave...
163. In Schedule 1, omit paragraphs 5 (persons granted stateless leave...
164. In Schedule 1, after paragraph 7 (workers, employed persons, self-employed...
165. In Schedule 1, in paragraph 8— (a) in sub-paragraph (1)—...
166. In Schedule 1, after paragraph 8 insert— (1) A person with protected rights who—
167. In Schedule 1, in paragraph 9(1)(b) (persons who are settled...
168. In Schedule 1, after paragraph 9 insert— (1) A person who— (a) is settled in the United...
169. In Schedule 1, in paragraph 10 (EU nationals)—
170. In Schedule 1, after paragraph 10 insert— (1) A person with protected rights— (a) who is—
171. In Schedule 1, before paragraph 11 insert the heading— EU...
172. In Schedule 1, after paragraph 11 insert— A person with protected rights who— (a) is an EU...
173. In Schedule 1, in paragraph 12(2) (children of Swiss nationals),...
174. In Schedule 1, after paragraph 12 insert— A person with protected rights who— (a) is the child...
175. In Schedule 1, after paragraph 13 (children of Turkish workers)...

PART 8

AMENDMENTS TO THE EDUCATION (STUDENT SUPPORT) (POSTGRADUATE MASTER’S DEGREES) (WALES) REGULATIONS 2019

176. Amendments to the Education (Student Support) (Postgraduate Master’s Degrees) (Wales) Regulations 2019
177. In regulation 9 (eligible students), for paragraph (1) substitute—
178. In regulation 10 (eligible students – exceptions) at the end...
179. In regulation 11(1) (period of eligibility – general rule), after...
180. After regulation 12 (early termination of eligibility) insert— Where— (a) the Welsh Ministers have determined that, by virtue...
181. In regulation 16 (students becoming eligible during a course)—
182. In Schedule 1, in paragraph 3 (interpretation of other key...
183. In Schedule 2, in paragraph 1 (persons settled in the...

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184. In Schedule 2, for paragraph 2A substitute— Category 2A -...
185. In Schedule 2, after paragraph 2A insert— Category 2B -...
186. In Schedule 2, omit paragraphs 3 (persons granted stateless leave...
187. In Schedule 2, in paragraph 6 (category 6 – workers,...
188. In Schedule 2, after paragraph 6 insert— Category 6A -...
189. In Schedule 2, in paragraph 7 (category 7 – persons...
190. In Schedule 2, after paragraph 7 insert— Category 7A -...
191. In Schedule 2, in paragraph 8 (category 8 – EU...
192. In Schedule 2, after paragraph 8 insert— Category 8A -...
193. In Schedule 2, in paragraph 9 (category 9 – children...
194. In Schedule 2, after paragraph 9 insert— Category 9A -...
195. In Schedule 2, in paragraph 10 (children of Turkish workers),...
196. In Schedule 2, after paragraph 10 insert— Category 10A -...
197. In Schedule 2, in paragraph 11 (ordinary residence – additional...
198. In Schedule 2, in paragraph 13 (interpretation)—
199. In Schedule 4 (index of defined terms), in Table 3—...
Signature
Explanatory Note