
WELSH STATUTORY INSTRUMENTS

2022 No. 473 (W. 117)

EDUCATION, WALES

The Education (Student Finance) (Miscellaneous Amendments) (No. 2) (Wales) Regulations 2022

<i>Made</i>	- - - -	<i>25 April 2022</i>
<i>Laid before Senedd Cymru</i>		<i>27 April 2022</i>
<i>Coming into force</i>	- -	<i>25 May 2022</i>

The Welsh Ministers make the following Regulations in exercise of the powers conferred upon the Secretary of State under sections 22(1)(a), 22(2)(a) and 42(6) of the Teaching and Higher Education Act 1998⁽¹⁾, and now exercisable by them⁽²⁾, and powers conferred on them under sections 5(5)(b) and 55(2) of the Higher Education (Wales) Act 2015⁽³⁾:

Title, commencement and application

1.—(1) The title of these Regulations is the Education (Student Finance) (Miscellaneous Amendments) (No. 2) (Wales) Regulations 2022.

(2) These Regulations come into force on 25 May 2022.

(3) Regulation 3 applies to the provision of support to a student in relation to an academic year which begins on or after 1 August 2022, whether or not anything done under these Regulations is done before, on or after that date.

(1) [1998 c. 30](#). See section 43(1) for the definitions of “prescribed” and “regulations”.

(2) The functions of the Secretary of State in section 22(1)(a) of the Teaching and Higher Education Act 1998 were transferred to the National Assembly for Wales, so far as they relate to making provision in relation to Wales by section 44 of the Higher Education Act 2004 ([c. 8](#)). Section 44 of that Act also provided that the functions in section 22(2)(a) of the Teaching and Higher Education Act 1998 were to be exercised by the National Assembly for Wales concurrently with the Secretary of State, so far as they relate to making provision in relation to Wales. The Secretary of State’s function in section 42(6) of the Teaching and Higher Education Act 1998, in so far as being exercisable in relation to Wales, was transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999, article 2 and Schedule 1 ([S.I. 1999/672](#)). The functions of the National Assembly for Wales were transferred to the Welsh Ministers by virtue of section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 ([c. 32](#)).

(3) [2015 anaw 1](#). See section 57(1) for the definitions of “prescribed” and “regulations”.

Amendments to the Higher Education (Qualifying Courses, Qualifying Persons and Supplementary Provision) (Wales) Regulations 2015

2.—(1) The Higher Education (Qualifying Courses, Qualifying Persons and Supplementary Provision) (Wales) Regulations 2015(4) are amended as follows.

(2) In paragraph 9BA(1)(a) of the Schedule, for “the first academic year of the course;” substitute “an academic year of the course;”.

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

3.—(1) The Education (Student Support) (Wales) Regulations 2018(5) are amended as follows.

(2) In paragraph 13F(2) of Schedule 4, for “eligible student” substitute “eligible postgraduate student”.

25 April 2022

Jeremy Miles
Minister for Education and Welsh Language, one
of the Welsh Ministers

(4) S.I. 2015/1484 (W. 163), amended by S.I. 2021/1365 (W. 360); there are other amending instruments but none is relevant.
(5) S.I. 2018/191 (W. 42), amended by S.I. 2022/79 (W. 28); there are other amending instruments but none is relevant.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend—

- (a) the Higher Education (Qualifying Courses, Qualifying Persons and Supplementary Provision) (Wales) Regulations 2015 (“the 2015 Regulations”), and
- (b) the Education (Student Support) (Wales) Regulations 2018 (“the 2018 Regulations”).

These Regulations correct errors in the 2015 Regulations and the 2018 Regulations.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.