## WELSH STATUTORY INSTRUMENTS

# **2017 No. 47**

# The Education (Student Support) (Wales) Regulations 2017

## PART 1

### GENERAL

#### **Revocation, savings and transitional provisions**

**3.**—(1) Subject to paragraph (14), the 2015 Regulations are revoked on 1 September 2017.

(2) The 2003 Regulations continue to apply to the provision of support to students in relation to an academic year which began on or after 1 September 2003 but before 1 September 2004.

(3) The 2004 Regulations continue to apply to the provision of support to students in relation to an academic year which began on or after 1 September 2004 but before 1 September 2005.

(4) The 2005 Regulations continue to apply to the provision of support to students in relation to an academic year which began on or after 1 September 2005 but before 1 September 2006.

(5) The 2006 Regulations continue to apply to the provision of support to students in relation to an academic year which began on or after 1 September 2006 but before 1 September 2007.

(6) The 2007 Regulations continue to apply to the provision of support to students in relation to an academic year which began on or after 1 September 2007 but before 1 September 2008.

(7) The 2008 Regulations continue to apply to the provision of support to students in relation to an academic year which began on or after 1 September 2008 but before 1 September 2009.

(8) The 2008 (No. 2) Regulations continue to apply to the provision of support to students in relation to an academic year which began on or after 1 September 2009 but before 1 September 2010.

(9) The 2009 Regulations continue to apply to the provision of support to students in relation to an academic year which began on or after 1 September 2010 but before 1 September 2011.

(10) The 2011 Regulations continue to apply to the provision of support to students in relation to an academic year which begins on or after 1 September 2011 but before 1 September 2012.

(11) The 2011 (No. 2) Regulations continue to apply to the provision of support to students in relation to an academic year which begins on or after 1 September 2012 but before 1 September 2013.

(12) The 2012 Regulations continue to apply to the provision of support to students in relation to an academic year which begins on or after 1 September 2013 but before 1 September 2014.

(13) The 2013 Regulations continue to apply to the provision of support to students in relation to an academic year which begins on or after 1 September 2014 but before 1 September 2015.

(14) The 2015 Regulations continue to apply to the provision of support to students in relation to—

(a) an academic year which begins on or after 1 September 2015 but before 1 September 2017;

(b) a course the first day of the first academic year of which was-

(i) before 1 September 2010; or

(ii) before 1 September 2011 where—

- (aa) a person is a 2010 gap year student; or
- (bb) the course is an end on course that follows on from a course that the student started before 1 September 2010;
- (c) the present course where—
  - (i) the first day of the first academic year of that course was on or after 1 September 2010 but before 1 September 2011; and
  - (ii) a person's status as an eligible student transferred to that course as a result of one or more transfers of that status by the Welsh Ministers pursuant to regulations made under section 22 of the 1998 Act from a designated course which the eligible student began before—
    - (aa) 1 September 2010; or
    - (bb) 1 September 2011 and in relation to which the student is a 2010 gap year student.

(15) For the purposes of paragraphs (2) to (4), any reference to the Secretary of State in relation to any function conferred on the Secretary of State by the Regulations referred to in those paragraphs, is to be read in relation to Wales as a reference to—

- (a) the Welsh Ministers, in the case of a function referred to in section 44(1) of the Higher Education Act 2004(1); or
- (b) the Welsh Ministers or the Secretary of State, in the case of a function referred to in section 44(2) of the Higher Education Act 2004.

(16) [<sup>F1</sup>Subject to regulation 1(3)] these Regulations apply in relation to the provision of support to students in respect of an academic year which begins on or after 1 September 2017 [<sup>F2</sup>and before 1 August 2018] whether anything done under these Regulations is done before, on or after 1 September 2017.

#### **Textual Amendments**

- **F1** Words in reg. 3(16) inserted (12.3.2018) by The Education (Student Support) (Wales) Regulations 2018 (S.I. 2018/191), reg. 1(2), **Sch. 6 para. 4(a)** (with reg. 2(2)(3))
- **F2** Words in reg. 3(16) inserted (12.3.2018) by The Education (Student Support) (Wales) Regulations 2018 (S.I. 2018/191), reg. 1(2), **Sch. 6 para. 4(b)** (with reg. 2(2)(3))

#### **Commencement Information**

II Reg. 3 in force at 17.2.2017, see reg. 1(2)

#### **Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Education (Student Support) (Wales) Regulations 2017. Any changes that have already been made by the team appear in the content and are referenced with annotations. View outstanding changes

#### Changes and effects yet to be applied to :

Regulations text amended by S.I. 2020/143 reg. 2-17 (These amendments not applied to legislation.gov.uk. Affecting Regulations revoked (14.2.2020) without ever being in force by S.I. 2020/154, regs. 2, 3)

# Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 1 para. 3(1) Sch. 1 para. 3 renumbered as Sch. 1 para. 3(1) by S.I. 2021/481 reg. 71(a)
- Sch. 1 para. 4ZC(1) Sch. 1 para. 4ZC renumbered as Sch. 1 para. 4ZC(1) by S.I. 2023/1349 reg. 23(a)
- Sch. 1 para. 7(1) Sch. 1 para. 7 renumbered as Sch. 1 para. 7(1) by S.I. 2020/1302 reg. 20(3)(c)(i)
- Sch. 1 para. 4A(2)(b) full stop substituted for word by S.I. 2021/9 reg. 32(c)
- Sch. 1 para. 4A(3)(c) full stop substituted for word by S.I. 2021/9 reg. 32(f)
- Sch. 1 para. 5A(1)(b) full stop substituted for word by S.I. 2021/9 reg. 33(b)
- Sch. 1 para. 5A(2)(c) full stop substituted for word by S.I. 2021/9 reg. 33(e)
- Sch. 1 para. 9(5) inserted by S.I. 2019/424 reg. 16(3)(b)(iv) (This amendment not applied to legislation.gov.uk. Amending Regulations revoked immediately before IP completion day by S.I. 2020/1302, regs. 1(2), 2)
- Sch. 1 para. 7(2) inserted by S.I. 2020/1302 reg. 20(3)(c)(iii)
- Sch. 1 para. 8(3) inserted by S.I. 2020/1302 reg. 20(3)(d)(iv)
- Sch. 1 para. 9(5) inserted by S.I. 2020/1302 reg. 20(3)(e)(iv)
- Sch. 1 para. 2A(1)(e) inserted by S.I. 2021/1365 reg. 19(a)(iii)
- Sch. 1 para. 3(3) inserted by S.I. 2021/1365 reg. 19(b)(iii)
- Sch. 1 para. 9C(1)(e) inserted by S.I. 2021/1365 reg. 19(c)
- Sch. 1 para. 9BA inserted by S.I. 2021/1365 reg. 25
- Sch. 1 para. 1(1A) inserted by S.I. 2021/481 reg. 68(b)
- Sch. 1 para. 1(5)(aa) inserted by S.I. 2021/481 reg. 68(e)(ii)(bb)
- Sch. 1 para. 2A inserted by S.I. 2021/481 reg. 70
- Sch. 1 para. 3(2) inserted by S.I. 2021/481 reg. 71(c)
- Sch. 1 para. 4ZB inserted by S.I. 2021/481 reg. 73
- Sch. 1 para. 6A inserted by S.I. 2021/481 reg. 75
- Sch. 1 para. 7(1)(d) inserted by S.I. 2021/481 reg. 76(a)(ii)
- Sch. 1 para. 7A inserted by S.I. 2021/481 reg. 77
- Sch. 1 para. 8A inserted by S.I. 2021/481 reg. 79
- Sch. 1 para. 9A-9D inserted by S.I. 2021/481 reg. 81
- Sch. 1 para. 10A inserted by S.I. 2021/481 reg. 83
- Sch. 1 para. 11A inserted by S.I. 2021/481 reg. 85
- Sch. 1 para. 12A inserted by S.I. 2021/481 reg. 86
- Sch. 1 para. 4ZA inserted by S.I. 2021/9 reg. 31
- Sch. 1 para. 4ZC inserted by S.I. 2022/764 reg. 34
- Sch. 1 para. 4ZC(2)-(4) inserted by S.I. 2023/1349 reg. 23(b)
- Sch. 1 para. 4A omitted by S.I. 2021/481 reg. 74
- Sch. 1 para. 5A omitted by S.I. 2021/481 reg. 74
- Sch. 1 para. 4A(2)(c) omitted by S.I. 2021/9 reg. 32(d)
- Sch. 1 para. 4A(3)(d) omitted by S.I. 2021/9 reg. 32(g)

Sch. 1 para. 5A(1)(c) omitted by S.I. 2021/9 reg. 33(c) Sch. 1 para. 5A(2)(d) omitted by S.I. 2021/9 reg. 33(f) Sch. 1 para. 3(1)(a)(iii) omitted by S.I. 2022/79 reg. 32 Sch. 1 para. 3(1)(a) substituted by S.I. 2021/481 reg. 71(b) Sch. 1 para. 4ZA substituted by S.I. 2021/481 reg. 72 Sch. 1 para. 4A(1) substituted by S.I. 2021/9 reg. 32(a)Sch. 1 para. 4A(2)(a)(ii) word inserted by S.I. 2021/9 reg. 32(b) Sch. 1 para. 4A(3)(b) word inserted by S.I. 2021/9 reg. 32(e) Sch. 1 para. 5A(1)(a) word inserted by S.I. 2021/9 reg. 33(a) Sch. 1 para. 5A(2)(b) word inserted by S.I. 2021/9 reg. 33(d) Sch. 1 para. 2A(1)(d) word moved by S.I. 2021/1365 reg. 19(a)(ii) Sch. 1 para. 9C(1)(d) word moved by S.I. 2021/1365 reg. 19(c) Sch. 1 para. 7(2) word substituted by S.I. 2021/481 reg. 76(b) Sch. 1 para. 9(5) word substituted by S.I. 2021/481 reg. 80(c)Sch. 1 para. 11(2) word substituted by S.I. 2021/481 reg. 84 Sch. 1 para. 11A(a) word substituted by S.I. 2021/813 reg. 7(b) Sch. 1 para. 7(1)(b) words inserted by S.I. 2020/1302 reg. 20(3)(c)(ii) Sch. 1 para. 2A(1)(c) words inserted by S.I. 2021/1365 reg. 19(a)(ii) Sch. 1 para. 3(1)(a)(iv)(bb) words inserted by S.I. 2021/1365 reg. 19(b)(i) Sch. 1 para. 3(1)(a)(iv)(cc) words inserted by S.I. 2021/1365 reg. 19(b)(ii) Sch. 1 para. 2A(1)(a) words substituted by S.I. 2021/1365 reg. 19(a)(i)Sch. 1 para. 7(1)(c) words substituted by S.I. 2021/481 reg. 76(a)(i) Sch. 4 para. 6(ab) inserted by S.I. 2021/481 reg. 90(b) Sch. 4 para. 6(h) inserted by S.I. 2021/481 reg. 90(i) Sch. 4 para. 6(ac) inserted by S.I. 2022/764 reg. 35 Sch. 4 para. 6(aa) words inserted by S.I. 2021/481 reg. 90(a) \_ Sch. 4 para. 6(ac) words inserted by S.I. 2023/1349 reg. 24 Sch. 5 para. 7(1) Sch. 5 para. 7 renumbered as Sch. 5 para. 7(1) by S.I. 2020/142 reg. 4(c)(i)Sch. 5 para. 5(4A) inserted by S.I. 2020/142 reg. 4(a)(ii) Sch. 5 para. 7(2) inserted by S.I. 2020/142 reg. 4(c)(ii) Sch. 7 Table 1 substituted by S.I. 2021/73 reg. 43(c) Sch. 7 words inserted by S.I. 2021/73 reg. 43(b) Sch. 7 words substituted by S.I. 2021/73 reg. 43(a) reg. 2(1)(c)(iii) inserted by S.I. 2019/424 reg. 10(c)(ii) (This amendment not applied to legislation.gov.uk. Amending Regulations revoked immediately before IP completion day by S.I. 2020/1302, regs. 1(2), 2) reg. 2(1)(c)(ii)(aa) words inserted by S.I. 2019/424 reg. 10(c)(i) (This amendment not applied to legislation.gov.uk. Amending Regulations revoked immediately before IP completion day by S.I. 2020/1302, regs. 1(2), 2) reg. 2(1A) inserted by S.I. 2021/481 reg. 52(3) reg. 4(2)(2A) substituted for reg. 4(2) by S.I. 2021/481 reg. 53(a) reg. 4(8)(c)(i)(cc) omitted by S.I. 2021/481 reg. 53(d)(i)(cc) reg. 4(8)(c)(i)(aa) word inserted by S.I. 2021/481 reg. 53(d)(i)(aa) reg. 4(8)(c)(i)(bb) word omitted by S.I. 2021/481 reg. 53(d)(i)(bb) reg. 4(9A)(a)(i) words omitted by S.I. 2021/481 reg. 53(f) reg. 4(9B) inserted by S.I. 2021/9 reg. 17 reg. 4(9B)(a)(i) words omitted by S.I. 2021/481 reg. 53(f) reg. 4(10A)(a)(i) words omitted by S.I. 2021/481 reg. 53(f) reg. 4(10B)-(10E) inserted by S.I. 2021/481 reg. 53(g) reg. 4(10E)(a)(i) word omitted by S.I. 2022/79 reg. 31(a) reg. 4(10E)(a)(i) words substituted by S.I. 2021/1365 reg. 16 reg. 4(10E)(a)(ii) words omitted by S.I. 2022/79 reg. 31(b) reg. 4(10F) inserted by S.I. 2022/764 reg. 20(b) reg. 4(10F)(a) words inserted by S.I. 2023/1349 reg. 19(a) \_ reg. 4(10F)(b) words substituted by S.I. 2023/1349 reg. 19(b) reg. 4(11A) inserted by S.I. 2023/633 reg. 9 reg. 15(i) inserted by S.I. 2021/481 reg. 56(i)

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reg. 15(ba) words inserted by S.I. 2021/481 reg. 56(a)
      reg. 15(bb) inserted by S.I. 2021/481 reg. 56(b)
      reg. 15(bc) inserted by S.I. 2022/764 reg. 21
      reg. 15(bc) words inserted by S.I. 2023/1349 reg. 20
      reg. 23(12)(h) inserted by S.I. 2021/481 reg. 57(b)(viii)
      reg. 23(12)(ba) words inserted by S.I. 2021/481 reg. 57(b)(i)
      reg. 23(12)(bb) inserted by S.I. 2021/481 reg. 57(b)(ii)
      reg. 23(12)(bc) inserted by S.I. 2022/764 reg. 22(a)
      reg. 23(12)(bc) words inserted by S.I. 2023/1349 reg. 20
      reg. 43(2)(i) sum substituted by S.I. 2020/153 reg. 10(a)(i)
      reg. 43(2)(i) sum substituted by S.I. 2021/73 reg. 19(a)(i)
      reg. 43(2)(i) sum substituted by S.I. 2022/79 reg. 20(a)
      reg. 43(2)(i) sum substituted by S.I. 2023/87 reg. 24(a)
      reg. 43(2)(i) sum substituted by S.I. 2024/86 reg. 10(a)
      reg. 43(2)(v) sum substituted by S.I. 2020/153 reg. 10(a)(v)
      reg. 43(2)(v) sum substituted by S.I. 2021/73 reg. 19(a)(v)
      reg. 43(2)(v) sum substituted by S.I. 2022/79 reg. 20(e)
      reg. 43(2)(v) sum substituted by S.I. 2023/87 reg. 24(e)
      reg. 43(2)(v) sum substituted by S.I. 2024/86 reg. 10(e)
      reg. 43(2)(iii) sum substituted by S.I. 2020/153 reg. 10(a)(iii)
      reg. 43(2)(iii) sum substituted by S.I. 2021/73 reg. 19(a)(iii)
      reg. 43(2)(iii) sum substituted by S.I. 2022/79 reg. 20(c)
      reg. 43(2)(iii) sum substituted by S.I. 2023/87 reg. 24(c)
      reg. 43(2)(iii) sum substituted by S.I. 2024/86 reg. 10(c)
      reg. 43(2)(ii) sum substituted by S.I. 2020/153 reg. 10(a)(ii)
      reg. 43(2)(ii) sum substituted by S.I. 2021/73 reg. 19(a)(ii)
      reg. 43(2)(ii) sum substituted by S.I. 2022/79 reg. 20(b)
      reg. 43(2)(ii) sum substituted by S.I. 2023/87 reg. 24(b)
      reg. 43(2)(ii) sum substituted by S.I. 2024/86 reg. 10(b)
      reg. 43(2)(iv) sum substituted by S.I. 2020/153 reg. 10(a)(iv)
      reg. 43(2)(iv) sum substituted by S.I. 2021/73 reg. 19(a)(iv)
      reg. 43(2)(iv) sum substituted by S.I. 2022/79 reg. 20(d)
      reg. 43(2)(iv) sum substituted by S.I. 2023/87 reg. 24(d)
      reg. 43(2)(iv) sum substituted by S.I. 2024/86 reg. 10(d)
      reg. 43(3)(i) sum substituted by S.I. 2020/153 reg. 10(b)(i)
      reg. 43(3)(i) sum substituted by S.I. 2021/73 reg. 19(b)(i)
      reg. 43(3)(i) sum substituted by S.I. 2022/79 reg. 20(f)
      reg. 43(3)(i) sum substituted by S.I. 2023/87 reg. 24(f)
      reg. 43(3)(i) sum substituted by S.I. 2024/86 reg. 10(f)
      reg. 43(3)(v) sum substituted by S.I. 2020/153 reg. 10(b)(v)
      reg. 43(3)(v) sum substituted by S.I. 2021/73 reg. 19(b)(v)
      reg. 43(3)(v) sum substituted by S.I. 2022/79 reg. 20(j)
      reg. 43(3)(v) sum substituted by S.I. 2023/87 reg. 24(j)
      reg. 43(3)(v) sum substituted by S.I. 2024/86 reg. 10(j)
      reg. 43(3)(iii) sum substituted by S.I. 2020/153 reg. 10(b)(iii)
      reg. 43(3)(iii) sum substituted by S.I. 2021/73 reg. 19(b)(iii)
      reg. 43(3)(iii) sum substituted by S.I. 2022/79 reg. 20(h)
      reg. 43(3)(iii) sum substituted by S.I. 2023/87 reg. 24(h)
      reg. 43(3)(iii) sum substituted by S.I. 2024/86 reg. 10(h)
      reg. 43(3)(ii) sum substituted by S.I. 2020/153 reg. 10(b)(ii)
      reg. 43(3)(ii) sum substituted by S.I. 2021/73 reg. 19(b)(ii)
      reg. 43(3)(ii) sum substituted by S.I. 2022/79 reg. 20(g)
      reg. 43(3)(ii) sum substituted by S.I. 2023/87 reg. 24(g)
      reg. 43(3)(ii) sum substituted by S.I. 2024/86 reg. 10(g)
      reg. 43(3)(iv) sum substituted by S.I. 2020/153 reg. 10(b)(iv)
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      reg. 43(3)(iv) sum substituted by S.I. 2021/73 reg. 19(b)(iv)
      reg. 43(3)(iv) sum substituted by S.I. 2022/79 reg. 20(i)
      reg. 43(3)(iv) sum substituted by S.I. 2023/87 reg. 24(i)
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reg. 43(3)(iv) sum substituted by S.I. 2024/86 reg. 10(i)
reg. 46(3)(4) inserted by S.I. 2021/813 reg. 4(b)
reg. 49(2)(h) inserted by S.I. 2021/481 reg. 59(h)
reg. 49(2)(h) words substituted by S.I. 2021/813 reg. 6
reg. 49(2)(ba) words inserted by S.I. 2021/481 reg. 59(a)
reg. 49(2)(bb) inserted by S.I. 2021/481 reg. 59(b)
reg. 49(2)(bc) inserted by S.I. 2022/764 reg. 26
reg. 49(2)(bc) words inserted by S.I. 2023/1349 reg. 20
reg. 52(fa) inserted by S.I. 2021/813 reg. 5
reg. 64(10B) inserted by S.I. 2021/9 reg. 22
reg. 81(2)(2A) substituted for reg. 81(2) by S.I. 2021/481 reg. 61(a)
reg. 81(8)(c)(i)(cc) omitted by S.I. 2021/481 reg. 61(b)(i)(cc)
reg. 81(8)(c)(i)(aa) word inserted by S.I. 2021/481 reg. 61(b)(i)(aa)
reg. 81(8)(c)(i)(bb) word omitted by S.I. 2021/481 reg. 61(b)(i)(bb)
reg. 81(9A)(a) words omitted by S.I. 2021/481 reg. 61(c)(i)
reg. 81(9A)(a) words substituted by S.I. 2021/481 reg. 61(c)(ii)
reg. 81(9B) inserted by S.I. 2021/9 reg. 25
reg. 81(9B)(a) words omitted by S.I. 2021/481 reg. 61(c)(i)
reg. 81(9B)(a) words substituted by S.I. 2021/481 reg. 61(c)(ii)
reg. 81(10A)(a) words omitted by S.I. 2021/481 reg. 61(c)(i)
reg. 81(10A)(a) words substituted by S.I. 2021/481 reg. 61(c)(ii)
reg. 81(10B)-(10E) inserted by S.I. 2021/481 reg. 61(d)
reg. 81(10E)(a)(i) word omitted by S.I. 2022/79 reg. 31(a)
reg. 81(10E)(a)(i) words substituted by S.I. 2021/1365 reg. 17
reg. 81(10E)(a)(ii) words omitted by S.I. 2022/79 reg. 31(b)
reg. 81(10F) inserted by S.I. 2022/764 reg. 27(b)
reg. 81(10F)(a) words inserted by S.I. 2023/1349 reg. 21(a)
reg. 81(10F)(b) words substituted by S.I. 2023/1349 reg. 21(b)
reg. 81(10G) inserted by S.I. 2023/633 reg. 10
reg. 82(4)(j) inserted by S.I. 2021/481 reg. 62(b)(x)
reg. 82(4)(ba) words inserted by S.I. 2021/481 reg. 62(b)(i)
reg. 82(4)(bb) inserted by S.I. 2021/481 reg. 62(b)(ii)
reg. 82(4)(bc) inserted by S.I. 2022/764 reg. 28
reg. 82(4)(bc) words inserted by S.I. 2023/1349 reg. 20
reg. 110(3)(a)(i) word inserted by S.I. 2021/1365 reg. 24
reg. 110(3)(a)(i) word inserted by S.I. 2022/764 reg. 32(a)
reg. 110(3A) inserted by S.I. 2021/481 reg. 66(b)
reg. 110(11B) inserted by S.I. 2021/9 reg. 28
reg. 110(12B)-(12E) inserted by S.I. 2021/481 reg. 66(d)
reg. 110(12E)(a)(i) word omitted by S.I. 2022/79 reg. 31(a)
reg. 110(12E)(a)(i) words substituted by S.I. 2021/1365 reg. 18
reg. 110(12E)(a)(ii) words omitted by S.I. 2022/79 reg. 31(b)
reg. 110(12F) inserted by S.I. 2022/764 reg. 32(b)
reg. 110(12F)(a) words inserted by S.I. 2023/1349 reg. 22(a)
reg. 110(12F)(b) words substituted by S.I. 2023/1349 reg. 22(b)
reg. 110(12G) inserted by S.I. 2023/633 reg. 11
reg. 111(2)(h) inserted by S.I. 2021/481 reg. 67(h)
reg. 111(2)(ba) words inserted by S.I. 2021/481 reg. 67(a)
reg. 111(2)(bb) inserted by S.I. 2021/481 reg. 67(b)
reg. 111(2)(bc) inserted by S.I. 2022/764 reg. 33
reg. 111(2)(bc) words inserted by S.I. 2023/1349 reg. 20
reg. 117(2)(a) sum substituted by S.I. 2022/79 reg. 28
reg. 117(2)(a) sum substituted by S.I. 2023/87 reg. 32
reg. 117(2)(a) sum substituted by S.I. 2024/86 reg. 18
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