
WELSH STATUTORY INSTRUMENTS

2020 No. 708

The Education (Student Support) (Miscellaneous Amendments) (Wales) (No. 2) Regulations 2020

PART 3

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

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

4. The Education (Student Support) (Wales) Regulations 2018(1) are amended in accordance with regulations 5 to 11.

Amendment to regulation 19

5. In regulation 19, for paragraph (3) substitute—

“(3) But paragraph (2) does not apply if P is undertaking a distance learning course outside the United Kingdom because—

- (a) P or a close relative of P is serving as a member of the armed forces, or
- (b) P is unable to be in the United Kingdom for a reason related to coronavirus.”

Amendment to regulation 39

6. In regulation 39, for *Exception 4* substitute—

“Exception 4

The present course is a distance learning course and the student (“S”) is not in Wales on the first day of the first academic year of the course.

But this exception does not apply where—

- (a) S is not in Wales on the first day of the first academic year of the course because S, or a close relative of S, is serving as a member of the armed forces outside Wales, or
- (b) S is unable to be in Wales on the first day of the first academic year of the course for a reason related to coronavirus.”

Amendment to regulation 44

7. In regulation 44, for *Exception 5* substitute—

“Exception 5

(1) S.I. 2018/191 (W. 42), amended by S.I. 2018/813 (W. 164); S.I. 2018/814 (W. 165); S.I. 2019/235 (W. 54); S.I. 2019/424 (W. 98) (as from IP completion day, as defined by the European Union (Withdrawal Agreement) Act 2020 (c. 1), section 39(1) to (5)); S.I. 2019/1192 (W. 209); S.I. 2020/142 (W. 25) and S.I. 2020/153 (W. 27).

The present course is a distance learning course and the student (“S”) is not in Wales on the first day of the first academic year of the course.

But this exception does not apply where—

- (a) S is not in Wales on the first day of the first academic year of the course because S, or a close relative of S, is serving as a member of the armed forces outside Wales, or
- (b) S is unable to be in Wales on the first day of the first academic year of the course for a reason related to coronavirus.”

Amendment to regulation 54

8. In regulation 54, for *Exception 4* substitute—

“Exception 4

The present course is a distance learning course and the student (“S”) is not in Wales on the first day of the first academic year of the course.

But this exception does not apply where—

- (a) S is not in Wales on the first day of the first academic year of the course because S, or a close relative of S, is serving as a member of the armed forces outside Wales, or
- (b) S is unable to be in Wales on the first day of the first academic year of the course for a reason related to coronavirus.”

Amendment to regulation 62

9. In regulation 62, for *Exception 5* substitute—

“Exception 5

The present course is a distance learning course and the student (“S”) is not in Wales on the first day of the first academic year of the course.

But this exception does not apply where—

- (a) S is not in Wales on the first day of the first academic year of the course because S, or a close relative of S, is serving as a member of the armed forces outside Wales, or
- (b) S is unable to be in Wales on the first day of the first academic year of the course for a reason related to coronavirus.”

Substitution of regulation 91

10. For regulation 91 substitute—

“91. Where a maintenance loan has been overpaid the Welsh Ministers may recover the overpayment—

- (a) by subtracting it from any maintenance loan payable to the eligible student from time to time under these Regulations or any other regulations made by the Welsh Ministers under section 22 of the 1998 Act;
- (b) by requiring the eligible student to repay the overpayment in accordance with regulations made under section 22 of the 1998 Act;
- (c) by any other method available to them.”

Amendment to Schedule 1

11. In Schedule 1, in paragraph 6(1), at the appropriate place insert—
““coronavirus” (“*coronafeirws*”) means severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2);”.