
WELSH STATUTORY INSTRUMENTS

2021 No. 1365

The Education (Student Fees, Awards and Support) (Amendment) (Wales) Regulations 2021

PART 4

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

CHAPTER 3

Eligibility of Irish citizens in the EEA and Switzerland

Amendments to regulations 4, 23, 41, 81 and 110

- 20. In regulation 4(2)(a), after “9B,” insert “9BA,”.
- 21. In regulation 23(2), after “9A,” insert “9BA,”.
- 22. In regulation 41(3), after “9A,” insert “9BA,”.
- 23. In regulation 81(2)(a), after “9B,” insert “9BA,”.
- 24. In regulation 110(3)(a)(i), after “9B,” insert “9BA,”.

Amendments to Schedule 1

- 25. In Schedule 1, after paragraph 9B insert—

“Irish citizens in the EEA and Switzerland

9BA.—(1) A person—

- (a) who is an Irish citizen on the first day of the first academic year of the course;
- (b) who was ordinarily resident immediately before IP completion day—
 - (i) in the territory comprising the European Economic Area and Switzerland; or
 - (ii) in the United Kingdom, where that ordinary residence began after 31 December 2017 immediately following a period of ordinary residence in the territory comprising the European Economic Area and Switzerland, and has remained ordinarily resident in the territory comprising the United Kingdom, Gibraltar, the European Economic Area and Switzerland throughout the period beginning on IP completion day and ending immediately before the first day of the first academic year of the course;
- (c) who is—
 - (i) undertaking a designated course in Wales; or

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- (ii) undertaking a designated part-time course or a designated postgraduate course in Wales;
 - (d) has been ordinarily resident in the territory comprising the United Kingdom, Gibraltar, the European Economic Area and Switzerland throughout the three-year period preceding the first day of the first academic year of the course; and
 - (e) subject to sub-paragraph (2), whose ordinary residence in the territory comprising the United Kingdom, Gibraltar, the European Economic Area and Switzerland has not during any part of the period referred to in paragraph (d) been wholly or mainly for the purpose of receiving full-time education.
- (2) Paragraph (e) of sub-paragraph (1) does not apply to a person who is treated as being ordinarily resident in the territory comprising the United Kingdom, Gibraltar, the European Economic Area and Switzerland in accordance with paragraph 1(4).”

Amendment to Schedule 4

- 26.** In Schedule 4 paragraph (3), after “9B,” insert “9BA,”.