

WELSH STATUTORY INSTRUMENTS

2023 No. 633

The Education (Student Finance) (Miscellaneous Amendments) (No. 2) (Wales) Regulations 2023

PART 5

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

CHAPTER 1

Introduction

12. The Education (Student Support) (Wales) Regulations 2018⁽¹⁾ are amended in accordance with this Part.

Commencement Information

II Reg. 12 in force at 6.7.2023, see [reg. 1\(2\)](#)

CHAPTER 2

Amendments to the definitions of “overseas territories” and “specified British overseas territories”

13. In Schedule 2, in paragraph 11(1)—

(a) in the definition of “overseas territories”—

(i) omit “British Virgin Islands,”;

(ii) for “St Helena and Dependencies (Ascension Island and Tristan da Cunha)” substitute “St Helena, Ascension and Tristan da Cunha”;

(iii) after “Turks and Caicos Islands,” insert “Virgin Islands,”;

(b) in the definition of “specified British overseas territories”—

(i) omit “British Virgin Islands,”;

(ii) for “St Helena and Dependencies (Ascension Island and Tristan da Cunha)” substitute “St Helena, Ascension and Tristan da Cunha”;

(iii) for “and Turks and Caicos Islands” substitute “Turks and Caicos Islands, and Virgin Islands”.

Commencement Information

I2 Reg. 13 in force at 6.7.2023, see [reg. 1\(2\)](#)

⁽¹⁾ S.I. 2018/191 (W. 42), relevant amendments are S.I. 2018/814 (W. 165), S.I. 2019/235 (W. 54), S.I. 2021/9 (W. 4), S.I. 2021/481 (W. 148), S.I. 2021/1365 (W. 360), S.I. 2022/79 (W. 28), S.I. 2022/473 (W. 117), S.I. 2022/764 (W. 166) and S.I. 2023/87 (W. 17). There are other amending instruments but none are relevant.

CHAPTER 3

Amendments to the definition of “person with leave to enter or remain as a relevant Afghan citizen”

- 14.** In Schedule 2, in paragraph 2ZA(4), in paragraph (ea)—
- (a) for sub-paragraph (i) substitute—

“(i) indefinite leave to enter the United Kingdom under paragraph 276BA2 of the immigration rules or indefinite leave to remain in the United Kingdom under paragraph 276BS2 of the immigration rules,”;
 - (b) after sub-paragraph (i) insert—
 - (ia) leave to enter or indefinite leave to enter the United Kingdom under paragraph 276BJ2 or 276BO2 of the immigration rules or paragraph ARAP 16.1 of Appendix Afghan Relocation and Assistance Policy of the immigration rules,
 - (ib) indefinite leave to enter the United Kingdom under paragraph ARAP 6.1 of Appendix Afghan Relocation and Assistance Policy of the immigration rules or indefinite leave to remain in the United Kingdom under paragraph ARAP 6.2 of that Appendix of the immigration rules,”.

Commencement Information

I3 Reg. 14 in force at 6.7.2023, see [reg. 1\(2\)](#)

CHAPTER 4

Amendments to early termination of eligibility provisions

- 15.** After regulation 23G insert—
- “**23H.** Regulations 22, 22A, 23, 23A, 23B, 23C, 23D, 23E, 23F or 23G do not apply where as at the end of the day before the first day of the academic year in respect of which P is applying for support—
- (a) P, or
 - (b) the person who, as a result of their immigration status, caused P to be an eligible student,
- is a British or Irish citizen.”.

Commencement Information

I4 Reg. 15 in force at 6.7.2023, see [reg. 1\(2\)](#)

- 16.** In Schedule 4, after paragraph 13G insert—
- “**13H.** Paragraphs 12, 12A, 13, 13A, 13B, 13C, 13D, 13E, 13F or 13G do not apply where, as at the end of the day before the first day of the academic year in respect of which P is applying for support—
- (a) P, or
 - (b) the person who, as a result of their immigration status, caused P to be an eligible postgraduate student,
- is a British or Irish citizen.”.

Changes to legislation: There are currently no known outstanding effects for the The Education (Student Finance) (Miscellaneous Amendments) (No. 2) (Wales) Regulations 2023, PART 5. (See end of Document for details)

.....

Commencement Information

I5 Reg. 16 in force at 6.7.2023, see [reg. 1\(2\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Education (Student Finance) (Miscellaneous Amendments) (No. 2) (Wales) Regulations 2023, PART 5.