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**2020 No. 918 (W. 206)**

**EDUCATION, WALES**

The Education (Student Support)  
(Postgraduate Master's Degrees)  
(Wales) (Amendment)  
(Coronavirus) Regulations 2020

**EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations are made under the Teaching and Higher Education Act 1998 and they amend the Education (Student Support) (Postgraduate Master's Degrees) (Wales) Regulations 2019 (“the 2019 Regulations”).

The 2019 Regulations provide for financial support for eligible students taking postgraduate master's degree courses which begin on or after 1 August 2019.

Regulation 2 amends regulation 10(1) of the 2019 Regulations (eligible students – exceptions), to remove the requirement for a student undertaking a distance learning course to be in Wales on the first day of the first academic year of that course, in cases where the absence relates to coronavirus.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from the Higher Education Division, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

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**2020 No. 918 (W. 206)**

**EDUCATION, WALES**

**The Education (Student Support)  
(Postgraduate Master's Degrees)  
(Wales) (Amendment)  
(Coronavirus) Regulations 2020**

*Made* at 9.20 a.m. on 28 August 2020

*Laid* before *Senedd*  
*Cymru* at 3.00 p.m. on 28 August 2020

*Coming into force* 1 September 2020

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

**Title and commencement**

**1.**—(1) The title of these Regulations is the Education (Student Support) (Postgraduate Master's Degrees) (Wales) (Amendment) (Coronavirus) Regulations 2020.

(2) These Regulations come into force on 1 September 2020.

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(1) 1998 c. 30; section 22(2)(a) was amended by the Higher Education and Research Act 2017 (c. 29), section 86. *See* section 43(1) of the Teaching and Higher Education Act 1998 for the definition of "prescribed" and "regulations".

(2) The Secretary of State's functions in section 22(2)(a) of the Teaching and Higher Education Act 1998 was 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 22(2)(a) is exercisable by the Welsh Ministers concurrently with the Secretary of State. The Secretary of State's function in section 42 was transferred, in so far as exercisable in relation to Wales, to the National Assembly for Wales by S.I. 1999/672. The above functions of the National Assembly for Wales were transferred to the Welsh Ministers by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32).

**Amendment of the Education (Student Support)  
(Postgraduate Master's Degrees) (Wales)  
Regulations 2019**

2.—(1) The Education (Student Support) (Postgraduate Master's Degrees) (Wales) Regulations 2019<sup>(1)</sup> are amended in accordance with this regulation.

(2) In regulation 10(1) (eligible students – exceptions), in exception 10—

- (a) after “does not apply where—” start a new line and insert the heading “*Case 1*”;
- (b) at the end of sub-paragraph (c) for the full-stop substitute “; or”;
- (c) at the end of exception 10 insert—

“*Case 2*

- (a) the first day of the first academic year of the course is on or after 1 September 2020; and
- (b) P is unable to be in Wales on the first day of the first academic year of the course for a reason related to coronavirus.”

(3) In Schedule 1 (interpretation), in paragraph 3(1), at the appropriate place insert—

“coronavirus” (“*coronafeirws*”) means severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2);”.

(4) In Schedule 4 (index of defined terms), in Table 3 at the appropriate place insert—

““coronavirus” Schedule 1, paragraph 3(1)”

*Kirsty Williams*

Minister for Education, one of the Welsh Ministers

At 9.20 a.m. on 28 August 2020

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(1) S.I. 2019/895 (W. 161). There are amendments to S.I. 2019/895 which are not relevant to these Regulations.