

SL(6)568 – The Education (Student Finance) (Miscellaneous Amendments) (Wales) Regulations 2025

Background and Purpose

These Regulations, which are in eight Parts, amend various Regulations which make provision about, and in connection with, student finance.

Part 1 makes provision about the coming into force and application of these Regulations.

Parts 2 to 8 make amendments to the following Regulations—

- (a) Part 2 amends the Education (Fees and Awards) (Wales) Regulations 2007 (“the 2007 Regulations”),
- (b) Part 3 amends the Education (European University Institute) (Wales) Regulations 2014 (“the 2014 Regulations”),
- (c) Part 4 amends the Higher Education (Qualifying Courses, Qualifying Persons and Supplementary Provision) (Wales) Regulations 2015 (“the 2015 Regulations”),
- (d) Part 5 amends the Education (Student Support) (Wales) Regulations 2017 (“the 2017 Regulations”),
- (e) Part 6 amends the Education (Student Support) (Wales) Regulations 2018 (“the 2018 Regulations”),
- (f) Part 7 amends the Education (Postgraduate Doctoral Degree Loans) (Wales) Regulations 2018 (“the Doctoral Degree Loan Regulations”), and
- (g) Part 8 amends the Education (Student Support) (Postgraduate Master’s Degrees) (Wales) Regulations 2019 (“the 2019 Regulations”).

Amendments made by these Regulations—

- (a) update the definition of a “protected Ukrainian national” in the 2007 Regulations, the 2014 Regulations, the 2015 Regulations, the 2017 Regulations, the 2018 Regulations, the Doctoral Degree Loan Regulations and the 2019 Regulations to include persons who are granted leave to remain in the United Kingdom under the new Ukraine Permission Extension Scheme, so that such persons are eligible for home fee status, the fee limits and student support,



- (b) provide for certain categories of students in the 2007 Regulations, the 2015 Regulations, the 2017 Regulations, the 2018 Regulations, the Doctoral Degree Loan Regulations and the 2019 Regulations, which require a student to be settled in the United Kingdom, to become eligible for home fee status, the fee limits and student support when they acquire their settled status during an academic year,
- (c) update the categories of students in the 2007 Regulations, the 2015 Regulations, the 2018 Regulations, the Doctoral Degree Loan Regulations and the 2019 Regulations, relating to persons settled in the United Kingdom from the British overseas territories, to provide for British citizens of Chagossian descent to satisfy the ordinary residence requirements under those categories, so that such persons are eligible for home fee status, the fee limits and student support,
- (d) provide for students undertaking a sandwich year to qualify for a disabled student's grant under the 2018 Regulations, so far as it relates to the provision of technical support, repairs or replacement in respect of equipment previously provided or approved for them under such a grant,
- (e) provide for students who are care leavers to qualify for the lower deduction available when calculating the amount of grant for travel payable to them under the 2018 Regulations,
- (f) omit references to domicile in provisions relating to the calculation or treatment of income under the 2014 Regulations, the 2017 Regulations, the 2018 Regulations and the 2019 Regulations, which will become redundant as a result of changes to the taxation of non-UK domiciled individuals from 6 April 2025,
- (g) make corrections to the 2017 Regulations and the 2018 Regulations, in connection with amendments made to each of those Regulations by the Education (Student Finance) (Miscellaneous Amendments) (No. 3) (Wales) Regulations 2023, to clarify the extent of a particular period of time and to replace an erroneous term in the Welsh language text respectively, and
- (h) omit redundant provisions relating to the KESS 2 Scheme in the Doctoral Degree Loan Regulations and the 2019 Regulations, which are redundant as a result of the closure of that scheme.

Procedure

Negative

The Regulations were made by the Welsh Ministers before they were laid before the Senedd. The Senedd can annul the Regulations within 40 days (excluding any days when the



Senedd is: (i) dissolved, or (ii) in recess for more than four days) of the date they were laid before the Senedd.

Technical Scrutiny

No points are identified for reporting under Standing Order 21.2 in respect of this instrument.

Merits Scrutiny

The following point is identified for reporting under Standing Order 21.3 in respect of this instrument.

1. Standing Order 21.3(ii) - that it is of political or legal importance or gives rise to issues of public policy likely to be of interest to the Senedd.

We note that these Regulations make technical corrections in response to the Committee's report on the Education (Student Finance) (Miscellaneous Amendments) (No. 3) (Wales) Regulations 2023. In particular, we note the following paragraph in the Explanatory Memorandum:

"The 2025 Regulations make technical corrections to the Education (Student Support) (Wales) Regulations 2017 and the Education (Student Support) (Wales) Regulations 2018, in connection with amendments made to each of those Regulations by the Education (Student Finance) (Miscellaneous Amendments) (No. 3) (Wales) Regulations 2023 which the Legislation, Justice and Constitution Committee reported upon ([SL\(6\)431](#) refers)."

The Committee's report on the [SL\(6\)510 - The Education \(Student Finance\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2024](#) raised similar issues arising from the historical error.

Could the Welsh Government confirm if the issues from the 2024 Regulations are being addressed in these Regulations? If corrections are being made, why are they not referenced in the Explanatory Memorandum? If no corrections are being made from the 2024 Regulations, could the reasons be provided?

Welsh Government response

A Welsh Government response is required.

Legal Advisers

Legislation, Justice and Constitution Committee

22 January 2025

