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WELSH STATUTORY INSTRUMENTS

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**2008 No. 1324 (W.137)**

**EDUCATION, WALES**

**The Assembly Learning Grants (European Institutions) (Wales) (Amendment) Regulations 2008**

<i>Made</i>	- - - -	<i>16 May 2008</i>
<i>Laid before the National Assembly for Wales</i>	- -	<i>20 May 2008</i>
<i>Coming into force</i>	- -	<i>13 June 2008</i>

The Welsh Ministers, in exercise of the powers conferred upon the Secretary of State by sections 22, 42(6) and 43(1) of the Teaching and Higher Education Act 1998(1), and now exercisable by them(2) make the following Regulations:

**PART 1**  
**GENERAL**

**Title, commencement and application**

1. The title of these Regulations is the Assembly Learning Grants (European Institutions) (Wales) (Amendment) Regulations 2008 and they come into force on 13 June 2008.
2. These Regulations apply in relation to Wales.

**Interpretation**

3. In these Regulations “the 2008 Regulations” (“*Rheoliadau 2008*”) means the Assembly Learning Grants (European Institutions) (Wales) Regulations 2008(3).

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(1) 1998 c. 30; section 22 was amended by the Learning and Skills Act 2000 (c. 21), section 146 and Schedule 11, the Income Tax (Earnings and Pensions) Act 2003 (c. 1), Schedule 6, the Finance Act 2003 (c. 14), section 147 and the Higher Education Act 2004 (c. 8), section 42. Section 42 and section 43 were amended by the Education Act 2002 (c. 32), Schedule 12.

(2) The functions of the Secretary of State under the Teaching and Higher Education Act 1998 were transferred to the National Assembly for Wales by section 44 of the Higher Education Act 2004 and the Higher Education Act 2004 (Commencement No. 2 and Transitional Provision) (Wales) Order 2005 (S.I. 2005/1833 (W.149)(C.79)) as amended by the Higher Education Act 2004 (Commencement No. 2 and Transitional Provision) (Wales) (Amendment) Order 2006 (S.I. 2006/1660 (W.159)(C.56)). The functions of the National Assembly for Wales were transferred to the Welsh Ministers by virtue of paragraphs 30(1) and 30(2)(a) of Schedule 11 of the Government of Wales Act 2006 (c. 32).

(3) S.I. 2008/18 (W. 7).

**Amendment of the Assembly Learning Grants (European Institutions) (Wales) Regulations 2008**

4. The 2008 Regulations are amended as follows.
5. In regulation 18(3), for the figure “25,580” substitute the figure “27,115”.
6. For paragraphs 8(1)(b) and 8(1)(c) of Schedule 2 substitute—
  - “(b) was ordinarily resident in Wales and settled in the United Kingdom immediately before leaving the United Kingdom to exercise a right of residence;
  - (c) is ordinarily resident in the United Kingdom on the relevant date;”.
7. In paragraph 4(2)(a) of Schedule 3 omit the words “paid by the student” and “student's”.

16 May 2008

*Jane Hutt*  
Minister for Children, Education, Lifelong  
Learning and Skills, one of the Welsh Ministers

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## EXPLANATORY NOTE

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

These Regulations amend the Assembly Learning Grants (European Institutions) (Wales) Regulations 2008 (“the 2008 Regulations”).

Regulation 5 amends regulation 18 of the 2008 Regulations so as to increase the grant for fees payable to students attending the Bologna Centre from 25,580 euro to 27,115 euro.

Regulation 6 amends paragraphs 8(1)(b) and 8(1)(c) of Schedule 2 of the 2008 Regulations to enable students who are settled in the UK and exercise a right of residence in the EU and subsequently return to the UK to study to be eligible for full financial support under the Regulations.

Regulation 7 amends paragraph 4 of Schedule 3 of the 2008 Regulations in relation to the calculation of a student’s parent’s residual income.