



Llywodraeth Cymru
Welsh Government

POLICY AND STRATEGY, DOCUMENT

Amendments to eligibility for victims of domestic abuse and of domestic violence, and bereaved partners

This Student Finance Wales information notice describes changes to eligibility within student support and fee protection legislation.

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Introduction

This Information Notice describes changes to eligibility within student support and fee protection legislation for victims of domestic abuse and of domestic violence, and bereaved partners (<https://www.gov.walesnull>).

The Welsh Government makes a victim of domestic abuse or of domestic violence, and bereaved partners, who have been granted leave to be in the UK by the UK Government under various provisions within the Immigration Rules eligible for student support and fee protection (for home fee status and capped tuition fees to apply). A child of such a person is also eligible. These persons receive special treatment under the Immigration Rules to recognise the fact that they may experience difficulty in demonstrating their eligibility for permission to be in the UK.

The Home Office has made changes to its Immigration Rules to include victims of domestic abuse and bereaved partners in 2 new separate appendices. Welsh student support and fee protection legislation makes explicit reference to the Immigration Rules so that a person falling into specific provisions are made eligible.

The Education (Student Finance) (Miscellaneous Amendments) (Wales) Regulations 2024 (“the 2024 Regulations”) make amendments to existing regulations to reflect these changes to Immigration Rules.

The 2024 Regulations will come into force on the 9 August 2024.

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Eligibility of victims of domestic abuse and of domestic violence

An amendment has been made to **include those granted leave under the new appendix, Victim of Domestic Abuse in the Immigration Rules to be eligible for student support and fee protection.** (<https://www.gov.walesnull>)

This amendment also extends eligibility to those with leave to enter. The Immigration Rules have been expanded to provide those experiencing transnational marriage abandonment (a form of domestic abuse whereby the abusive party abandons their partner overseas and their permission to stay in the UK expires and/or they are left without access to their passport or immigration documents, preventing their return to the UK) with a route to entry clearance for settlement within the UK.

The existing Immigration Rules references within student support and fee protection legislation have been retained. Those granted leave prior to the new Appendix coming into force will continue to be eligible for student support and fee protection.

The amendment will be effective from the date the Regulations come into force and will apply to both undergraduate and postgraduate new and continuing students. In practice this means those granted leave under the new Appendix will be eligible to apply for support for higher education courses that commenced in academic years beginning on 1 January, 1 April or 1 July 2024, or that are due to commence on or after 1 August 2024.

Eligibility of bereaved partners

An amendment has been made to include those granted leave under the new

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Appendix Bereaved Partner in the Immigration Rules to be eligible for student support and fee protection.

This amendment also extends eligibility to those with leave to enter. The Immigration Rules have been expanded to provide for a bereaved partner (who is overseas) of armed forces personnel with a route to entry clearance for settlement within the UK.

The existing Immigration Rules references within student support and fee protection legislation have been retained. Those granted leave prior to the new Appendix coming into force will continue to be eligible for student support and fee protection.

The amendment will be effective from the date the Regulations come into force and will apply to both undergraduate and postgraduate new and continuing students. In practice this means those granted leave under the new Appendix will be eligible to apply for support, for higher education courses that commenced in academic years beginning on 1 January, 1 April or 1 July 2024, or that are due to commence on or after 1 August 2024.

Enquiries

If you have queries about applications, how to apply, payments or any other aspect of the service, please contact **Student Finance Wales** (<https://www.studentfinancewales.co.uk/contact/>).

If you have any queries about this Information Notice, please **email the Strategy and Funding Division** (<https://www.gov.walesmailto:studentfinancedivision@gov.wales>), Welsh Government.

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