

Statutory Instruments with Clear Reports

13 September 2021

SL(6)021 – The Cancellation of Student Loans for Living Costs Liability (Wales) Regulations 2021

Procedure: Made Negative

These Regulations made under the Teaching and Higher Education Act 1998 govern the student loan liability of full-time students who receive loans for living costs from the Welsh Ministers in respect of the academic year 2021/2022.

Further, these Regulations provide for up to £1,500 of a borrower's living costs loan liability to be cancelled in certain circumstances, with effect from the day after the day on which their first loan repayment is considered to have been received.

Parent Act: Teaching and Higher Education Act 1998

Date Made: 01 July 2021

Date Laid: 06 July 2021

Coming into force date: 01 August 2021

SL(6)022 – The Education (Student Finance) (Miscellaneous Amendments) (Wales) Regulations 2021

Procedure: Made Negative

These Regulations amend the Education (Fees and Awards) (Wales) Regulations 2007 ("the 2007 Regulations"), the Education (Student Support) (Wales) Regulations 2017 ("the 2017 Regulations"), the Education (Student Support) (Wales) Regulations 2018 ("the 2018 Regulations") and the Education (Student Support) (Postgraduate Master's Degrees) (Wales) Regulations 2019 ("the 2019 Regulations").

These Regulations amend provisions in the 2017 Regulations and the 2018 Regulations relating to the amount of maintenance support payable to an eligible student by reference to the place where they live during the quarters in which that support is payable. The amendments provide that an eligible student who lives with their parents for a reason only



relating to coronavirus is treated as living in the location they would have been living had it not been for that reason, unless the student requests otherwise.

These Regulations also correct typographical errors in the 2007 Regulations, the 2017 Regulations, the 2018 Regulations and the 2019 Regulations.

Parent Act: Education (Fees and Awards) Act 1983, Teaching and Higher Education Act 1998

Date Made: 07 July 2021

Date Laid: 09 July 2021

Coming into force date: 01 August 2021

SL(6)025 – The Planning (Listed Buildings and Conservation Areas) (Wales) (Amendment) Regulations 2021

Procedure: Made Negative

These Regulations amend the Planning (Listed Buildings and Conservation Areas) (Wales) Regulations 2012 (“the 2012 Regulations”).

Regulation 2(2) removes the requirement for an application made by a local planning authority for the alteration or extension of a listed building in their area to have to be referred to the Welsh Ministers for determination. Regulation 2(3) and (4) are consequential on regulation 2(2).

Regulation 2(5) inserts two paragraphs in regulation 9 of the 2012 Regulations. New paragraph (8) provides that the committee or sub-committee that determines an application by the local planning authority cannot have been involved in the management of the building. New paragraph (9) provides that where an application of the local planning authority is determined by that authority, there is no right of appeal.

Regulation 3 contains a transitional provision that provides that any application made by a local planning authority for the alteration or extension of a listed building in their area before the coming into force of these Regulations will be determined by the Welsh Ministers.

Parent Act: Planning (Listed Buildings and Conservation Areas) Act 1990

Date Made: 12 August 2021

Date Laid: 16 July 2021

Coming into force date: 16 August 2021



Senedd Cymru
Pwyllgor Deddfwriaeth, Cyfiawnder a'r Cyfansoddiad
—
Welsh Parliament
Legislation, Justice and Constitution Committee

SL(6)036 – The Additional Learning Needs and Education Tribunal (Wales) Act 2018 (Consequential Amendments) (No. 2) Regulations 2021

Procedure: Made Negative

These Regulations make consequential amendments to secondary legislation in light of the Additional Learning Needs system coming into force in relation to some children from 1 September 2021. For example:

- The New School (Admissions) Regulations 2006 are amended so that a new school may be named under section 48 of the Additional Learning Needs and Education Tribunal (Wales) Act 2018 in a child's individual development plan, and the person responsible for admissions to that school will be required to admit a child in the same way as if an established school were named.
- The School Admissions (Infant Class Sizes) (Wales) Regulations 2013 deal with the limit on class sizes for infant classes at maintained schools. Those 2013 Regulations are amended so that the definition of "suitable education" takes into account the ALN system.

The [Explanatory Memorandum](#) to these Regulations provides further, helpful information on the amendments made to secondary legislation.

These Regulations also revoke provisions of secondary legislation that would otherwise lapse or become redundant in light of the coming into force on 1 September 2021 of certain provisions of the Additional Learning Needs and Education Tribunal (Wales) Act 2018.

These Regulations come into force on 1 September 2021 to coincide with the ALN system starting to come into force.

Parent Act: Additional Learning Needs and Education Tribunal (Wales) Act 2018

Date Made: 10 August 2021

Date Laid: 11 August 2021

Coming into force date: 01 September 2021



SL(6)038 – The Infant Formula and Follow-on Formula (Wales) (Amendment) Regulations 2021

Procedure: Made Negative

New rules relating to infant formula and follow-on formula made from protein hydrolysates will apply, on a GB-wide basis, from 22 February 2022.

These Regulations provide for the enforcement of those rules in Wales from 22 February 2022. The enforcement provisions provide, for example, that local authorities in Wales can exercise powers of entry and issue improvement notices to secure compliance with the rules.

These Regulations also provide for the enforcement of the rules that apply to infant formula and follow-on formula until 22 February 2022.

Parent Act: Food Safety Act 1990

Date Made: 25 August 2021

Date Laid: 26 August 2021

Coming into force date: 16 September 2021

