SCOTTISH STATUTORY INSTRUMENTS

2008 No. 205

EDUCATION

The Education (Student Loans) (Scotland) Amendment Regulations 2008

Made - - - -	*29th May 2008*
Laid before the Scottish Parliament - - - -	*2nd June 2008*
Coming into force - -	*1st August 2008*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 73(f) and 74(1) of the Education (Scotland) Act 1980(**1**) and all other powers enabling them to do so.

Citation and commencement

1. These Regulations may be cited as the Education (Student Loans) (Scotland) Amendment Regulations 2008 and come into force on 1st August 2008.

Amendment of the Education (Student Loans) (Scotland) Regulations 2007

2. The Education (Student Loans) (Scotland) Regulations 2007(**2**) are amended in accordance with the following regulations.

3.—(1) Regulation 3 (eligible students) is amended as follows.

(2) In paragraph (2)–

(a) at the end of sub-paragraph (d) insert "and"; and

(b) omit sub-paragraphs (f) and (g).

(3) Omit paragraph (3)(b).

(4) In paragraph (4) omit "and (f)".

4. In regulation 4(1) (designated courses)–

(**1**) 1980 c. 44 ("the 1980 Act"). Section 73(f) of the 1980 Act was amended by the Teaching and Higher Education Act 1998 (c. 30) ("the 1998 Act"), section 29(1) and by the Education (Graduate Endowment and Student Support) (Scotland) Act 2001 (asp 6), section 3(2). Section 74(1) of the 1980 Act was amended by the Self Governing Schools etc. (Scotland) Act 1989 (c. 39), Schedule 10, paragraph 8(17). The functions of the Secretary of State contained in sections 73(f) and 74(1) of the 1980 Act were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).

(**2**) S.S.I. 2007/154, amended by S.S.I. 2007/503.

(a) for paragraph (b) substitute "a full-time course or sandwich course but not a part-time course;"; and

(b) in paragraph (c) omit the words from "and, in the case of" to "the same qualification".

5.—(1) Regulation 6 (transfers of eligibility) is amended as follows.

(2) Omit paragraph (1)(c).

(3) In paragraph (3) for "(1)(a), (b) or (c)" substitute "(1)(a) or (b)".

(4) Omit paragraph (5).

6. For regulation 7(1) (termination of eligibility) substitute–

"(1) Subject to paragraph (2) an eligible student shall cease to be eligible for a loan on–

(a) the expiry of the period ordinarily required for the completion of the course; or

(b) transferring from a full-time course to a part-time course,

and accordingly that person shall then cease to be an eligible student.".

St Andrew's House,
Edinburgh
29th May 2008

FIONA HYSLOP
A member of the Scottish Executive

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Education (Student Loans) (Scotland) Regulations 2007 to provide that part-time courses may no longer be designated courses. Students undertaking part-time courses will therefore no longer be eligible for student loans.