

2001 No. 210

EDUCATION

**The Education (Student Loans) Amendment (Scotland)
Regulations 2001**

Made 5th June 2001

Laid before the Scottish Parliament 6th June 2001

Coming into force 1st August 2001

The Scottish Ministers, in exercise of the powers conferred by section 1(2)(b) of and paragraph 1(1) of Schedule 2 to the Education (Student Loans) Act 1990(a) and all other powers enabling them in that behalf, hereby make the following Regulations:

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Education (Student Loans) Amendment (Scotland) Regulations 2001 and shall come into force on 1st August 2001.

(2) These Regulations extend beyond Scotland but do so only as a matter of Scots Law(b).

Amendment of the Education (Student Loans) Regulations 1998

2. The Education (Student Loans) Regulations 1998(c) shall be amended as follows.

(a) 1990 c.6; paragraph 1(1) of Schedule 2 was amended by the Education (Student Loans) Act 1996 (c.9), section 1(2) and the Schedule, paragraph 3(2) and by the Education (Student Loans) Act 1998 (c.1), section 2(2); the entire Act was repealed on 13th August 1998 by the Teaching and Higher Education Act 1998 (c.30), Schedule 4, subject to saving and transitional provisions set out in the Teaching and Higher Education Act 1998 (Commencement No. 2 and Transitional Provisions Order 1998 (S.I. 1998/2004)). The saving provisions include provision for making subordinate legislation after the date of the repeal. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46). The circumstances in which the Secretary of State's functions under the Education (Student Loans) Act 1990 are to be treated as exercisable in or as regards Scotland are set out in the Scotland Act 1998 (Functions Exercisable in or as Regards Scotland) Order 1999 (S.I. 1999/1748) article 3 and Schedule 1, paragraph 1.

(b) These Regulations extend beyond Scotland because the functions of the Scottish Ministers are exercisable with regard to certain students who are outside Scotland by virtue of S.I. 1999/1748.

(c) S.I. 1998/211, amended by S.I. 1998/1676, 2005 and 1999/1784 and S.S.I. 2000/240.

3. In regulation 6(1) to (4)(a) for each of the figures in the first column below wherever it appears substitute the corresponding figure in the second column below—

<i>First column</i> £	<i>Second column</i> £
1,020	1,045
1,645	1,685
1,395	1,430
2,255	2,310
1,330	1,365
1,825	1,870

4. In paragraph 1 of Schedule 2 in the definition of “disability related benefits” for “disability working allowance” substitute “disabled person’s tax credit”.

St Andrew’s House,
Edinburgh
5th June 2001

ALASDAIR MORRISON
Authorised to sign by the Scottish Ministers

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which come into force on 1st August 2001, amend the Education (Student Loans) Regulations 1998 (“the principal Regulations”). The principal Regulations govern loans made under the Education (Student Loans) Act 1990, which are mortgage style repayment loans. Such loans are for the most part made to students who began their courses before 1st August 1998. Loans under the Teaching and Higher Education Act 1998, repayable through the tax system, are made to students beginning their courses after 1st August 1998.

The maximum amounts which may be lent in relation to an academic year have been increased in line with inflation (regulation 3).

On 5th October 1999, disability working allowance was replaced by disabled person’s tax credit and the definition of “disability related benefit” in paragraph 1 of Schedule 2 has been amended accordingly (regulation 4).

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