

**2001 No. 227**

**EDUCATION**

**The Repayment of Student Loans (Scotland) Amendment  
Regulations 2001**

*Made* 11th June 2001

*Laid before the Scottish Parliament* 11th June 2001

*Coming into force* 1st August 2001

The Scottish Ministers, in exercise of the powers conferred by sections 73(f), 73B and 74(1) of the Education (Scotland) Act 1980(a) and of all others powers enabling them in that behalf, hereby make the following Regulations:

**Citation and commencement**

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

**Amendment of the Repayment of Student Loans (Scotland) Regulations 2000**

2. The Repayment of Student Loans (Scotland) Regulations 2000(b) are amended as follows.

3. In regulation 6(a), after “Loan Regulations” there is inserted “, regulation 15 of the Education (Student Loans) (Scotland) Regulations 2000(c), regulation 14 of the Graduate Endowment (Scotland) Regulations 2001(d)”.

4. For regulation 7(2) there is substituted—

“A borrower shall not be required to repay—

- (a) such part of their student loan as relates to a particular notification of eligibility under the Loan Regulations or the Education (Student Loans) (Scotland) Regulations 2000 until the year of assessment beginning after the date on which that eligibility terminates under regulation 8 of the relevant Regulations; and

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(a) 1980 c.44. Section 73(f) was amended by the Teaching and Higher Education Act 1998, section 29(1), and by the Education (Graduate Endowment and Student Support) (Scotland) Act 2001 (asp 6), section 3(2). Section 73B was inserted by the Teaching and Higher Education Act 1998, section 29(2) and was amended by the Education (Graduate Endowment and Student Support) (Scotland) Act 2001 (asp 6), section 3(3). Section 74 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 were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

(b) S.S.I. 2000/110, amended by S.S.I. 2000/200.

(c) S.S.I. 2000/200.

(d) S.S.I. 2001/280.

- (b) any part of any loan made under the Graduate Endowment (Scotland) Regulations 2001 until the year of assessment beginning after the date on which that loan is applied by the Scottish Ministers in accordance with regulation 13 of those Regulations.”.

*ALASDAIR MORRISON*

Authorised to sign by the Scottish Ministers

St Andrew's House,  
Edinburgh  
11th June 2001

## **EXPLANATORY NOTE**

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

These Regulations, which come into force on 1st August 2001, amend the Repayment of Student Loans (Scotland) Regulations 2000 (“the principal Regulations”). The principal Regulations govern the repayment of income contingent student loans by students living and working abroad.

The amendments are to update the principal Regulations to take account of regulations which confer loan making functions on the Scottish Ministers since the principal Regulations were enacted, namely the Education (Student Loans) (Scotland) Regulations 2000 and the Graduate Endowment (Scotland) Regulations 2001. The manner in which Scottish Ministers are to apply loan repayments received is amended to take account of interest payments which may be due or received in terms of those new regulations (regulation 3). The period during which the Scottish Ministers may not require repayment of a loan is also amended to take account of the new regulations (regulation 4).

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