
SCOTTISH STATUTORY INSTRUMENTS

2002 No. 423

**The Nursing and Midwifery Student Allowances
(Scotland) Amendment Regulations 2002**

Interpretation

2. In these Regulations—

“EEA Agreement” means the Agreement on the European Economic Area signed at Oporto on 2nd May 1992⁽¹⁾ as adjusted by the Protocol thereto signed at Brussels on 17th March 1993⁽²⁾;

“EEA migrant worker” means a person who is a national of an EEA State who has taken up an activity as an employed person in the United Kingdom—

(a) under Council Regulation (EEC) No. 1612/68⁽³⁾ on freedom of movement for workers within the Community (which was extended to apply to the whole European Economic Area by the EEA Agreement); or

(b) in circumstances where as a national of the United Kingdom that person has an enforceable Community right to be treated no less favourably than a national of another EEA State in relation to matters which are the subject of the above mentioned Regulation;

“EEA State” means a State which is a Contracting Party to the EEA Agreement;

“employed” includes holding any office or any occupation for gain;

“European Economic Area” means the area of the EEA States and includes those States at any time before the EEA Agreement comes into force in relation to them;

“national of a member state of the European Community” means a person who is a national for the purposes of the Community Treaties of any member state of the European Community (including the United Kingdom) as constituted from time to time;

“refugee” means a person who is recognised by Her Majesty’s Government as a refugee within the meaning of the United Nations Convention relating to the Status of Refugees done at Geneva on 28th July 1951⁽⁴⁾ as extended by the Protocol thereto which entered into force on 4th October 1967⁽⁵⁾.

“relevant day” in relation to a course of education for which an allowance is sought means—

(a) as respects a course starting in the period 1st August to 31st December, 1st August; or

(b) as respects a course starting in the period 1st January to 31st July, 1st January,

in either case the relevant day being in the year of commencement of the appropriate academic year of the course.

(1) Cmnd 2073.

(2) Cmnd 2183.

(3) O.J. No. L 257, 19.10.68, p.2 (O.J./S.E. 1968 (II), p.475), amended by Council Regulation (EEC) No. 2434/92 (O.J. No. L 245, 26.8.92, p.1).

(4) Cmnd 9171.

(5) Cmnd 3906.