

**2004 No. 270**

**EDUCATION**

**The Individual Learning Account (Scotland) Amendment  
Regulations 2004**

<i>Made</i> - - - -	<i>7th June 2004</i>
<i>Laid before the Scottish Parliament</i>	<i>8th June 2004</i>
<i>Coming into force</i> - -	<i>2nd July 2004</i>

The Scottish Ministers, in exercise of the powers conferred by sections 1, 2 and 3(2) of the Education and Training (Scotland) Act 2000(a) and of all other powers enabling them in that behalf, hereby make the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Individual Learning Account (Scotland) Amendment Regulations 2004 and shall come into force on 2nd July 2004.

**Amendment of the Individual Learning Account (Scotland) Regulations 2004**

2. The Individual Learning Account (Scotland) Regulations 2004(b) are amended in accordance with regulations 3 and 4.

3. In regulation 3(4)(e), omit “who is working in the United Kingdom”.

4. In regulation 3(7)(b), after subparagraph (v) insert—

“;

(vi) state pension credit payable under section 1 of the State Pension Credit Act 2002 (entitlement)(c)”.

*JAMES R WALLACE*  
A member of the Scottish Executive

St Andrew’s House,  
Edinburgh  
7th June 2004

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(a) 2000 asp 8.  
(b) S.S.I. 2004/83.  
(c) 2002 c.16.

## EXPLANATORY NOTE

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

These Regulations, which come into force on 2nd July 2004 amend The Individual Learning Account (Scotland) Regulations 2004 (“the principal regulations”). The principal regulations specify arrangements which qualify under section 2 of the Education and Training (Scotland) Act 2000. They provide for payment of grants in respect of persons who are parties to such qualifying arrangements. They also set out the qualifying requirements in regard to persons or bodies providing education or training under the principal regulations.

Regulation 3 amends regulation 3(4)(e) of the principal regulations. Regulation 3(4) sets out conditions to be satisfied before a person can be a qualifying person for the purposes of entering either the qualifying arrangements named “ILA Scotland Universal Arrangements” or “ILA Scotland Targeted Arrangements”. Regulation 3(4)(e) of the principal regulations provides that the condition in regulation 3(4) will be implemented if the person is a national of a member state of the European Economic Area who is working in the United Kingdom. Regulation 3 removes the requirement that a person who is a national of a member state of the EEA at the date of registration, should also be working in the UK.

Regulation 4 of these Regulations amends regulation 3(7)(b) of the principal regulations. Regulations 3(3) to (5) and 3(7) set out conditions to be satisfied before a person can be a qualifying person for the purposes of entering the qualifying arrangements named “ILA Scotland Targeted Arrangements”. The conditions in regulations 3(3) to (5) of the principal regulations require to be satisfied before a person can be a qualifying person for the purposes of entering the qualifying arrangements named “ILA Scotland Universal Arrangements”. Regulation 4 adds a provision that a person shall meet the condition in regulation 3(7) if the person is in receipt of state pension credit at the date of registration for the arrangements.

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