
SCOTTISH STATUTORY INSTRUMENTS

2011 No. 5

**The Council Tax (Discounts)
(Scotland) Amendment Order 2011**

Amendment of the Council Tax (Discounts) (Scotland) Consolidation and Amendment Order 2003

4. For article 6 (students), substitute—

“**6.**—(1) For the purposes of paragraph 4 of Schedule 1 to the Act, “student” means a person who, on a particular day, is not a student nurse (within the meaning of article 7) and is—

- (a) a foreign language assistant, within the meaning of paragraph (2);
- (b) undertaking a qualifying course of education, within the meaning of paragraph (3); or
- (c) undertaking a full time course of education, within the meaning of paragraph (4).

(2) A person is a foreign language assistant on the particular day if the person is registered as a foreign language assistant with the British Council and the day falls within the period of the person’s appointment as such at a school or other educational institution in Great Britain.

(3) A person is undertaking a qualifying course of education on the particular day if—

- (a) the person is aged under 20 and is undertaking with a single educational establishment—
 - (i) a qualifying course of education in respect of which the relevant number of hours per week exceeds 12; or
 - (ii) two or more qualifying courses of education in respect of which the cumulative relevant number of hours per week for all those courses exceeds 12;
- (b) the day falls within the relevant period for that course or any of those courses; and
- (c) the person is not on that day an apprentice (within the meaning of article 5) or a youth training trainee (within the meaning of article 8).

(4) A person is undertaking a full time course of education on the particular day if—

- (a) the person is undertaking a course of education which—
 - (i) is specified in Part 1 of Schedule 2; and
 - (ii) is provided by an institution specified in Part 2 of Schedule 2;
- (b) in respect of that course the person—
 - (i) is or would normally be required by the institution to undertake periods of study, work experience or tuition (whether that tuition is received at the premises of the institution, through correspondence or otherwise); or

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- (ii) is undertaking periods of work experience which are not required in order to complete the course but are arranged or permitted to be undertaken by the institution due to their relevance to the course;
- (c) the periods of study, work experience or tuition referred to in paragraph (b) amount to—
 - (i) at least 24 weeks within each academic year of the institution providing the course; and
 - (ii) an average of at least 21 hours per week during each of those weeks;
- (d) the person is enrolled with the institution providing the course for the purpose of undertaking that course; and
- (e) the day falls within the relevant period for that course.”.