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SCOTTISH STATUTORY INSTRUMENTS

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**2012 No. 72**

**The Education (Fees, Awards and Student Support)  
(Miscellaneous Amendments) (Scotland) Regulations 2012**

**Amendment of the Nursing and Midwifery Student Allowances (Scotland) Regulations 2007**

**15.** In regulation 5(1) (conditions and requirements of allowances)—

- (a) at the end of sub-paragraph (a) omit “and”; and
- (b) after sub-paragraph (b) insert—
  - “(c) that application shall include the agreement of the applicant that any sum in respect of which the holder has given an undertaking in terms of paragraph (1)(b) and which falls to be repaid following a revisal in terms of regulation 4(4) may be recovered by the Scottish Ministers in one or more of the ways specified in sub-paragraph (d); and
  - (d) the Scottish Ministers may recover any sum in respect of which the holder has given an undertaking in terms of paragraph (1)(b) and which falls to be repaid following a revisal in terms of regulation 4(4) in one or more of the following ways as the Scottish Ministers consider appropriate in all the circumstances—
    - (i) by subtracting the amount of which the Scottish Ministers request repayment following revisal in terms of regulation 4(4) from the amount of any other allowance payable under these Regulations or the Students’ Allowances (Scotland) Regulations 2007(1) for which the student is eligible in respect of any other academic year;
    - (ii) by taking such other action for the recovery of the amount of which the Scottish Ministers request repayment following revisal in terms of regulation 4(4) as is available to them.”.