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SCOTTISH STATUTORY INSTRUMENTS

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**2013 No. 75**

**EDUCATION**

**The Individual Learning Account  
(Scotland) Amendment Regulations 2013**

*Made* - - - - 26th February 2013  
*Laid before the Scottish  
Parliament* - - - - 28th February 2013  
*Coming into force* - - 1st April 2013

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 1, 2 and 3(2) of the Education and Training (Scotland) Act 2000<sup>(1)</sup> and all other powers enabling them to do so.

**Citation and commencement**

1. These Regulations may be cited as the Individual Learning Account (Scotland) Amendment Regulations 2013 and come into force on 1st April 2013.

**Amendment of the Individual Learning Account (Scotland) Regulations 2011**

2.—(1) The Individual Learning Account (Scotland) Regulations 2011<sup>(2)</sup> are amended as follows.

(2) In regulation 3 (qualifying persons (learning account holders))—

- (a) in paragraph (1)(b), after “(5D)” insert “, (5E)”;
- (b) in paragraph (5D), delete “national”; and
- (c) after paragraph (5D), insert—

“(5E) The condition in this paragraph is that the person is not participating in the training programme known as Community Jobs Scotland established pursuant to arrangements made by the Scottish Ministers under section 2 of the Employment and Training Act 1973<sup>(3)</sup>.”

(3) In regulation 4(6)(a) (registration (learning account holders)), after “(5D)” insert “, (5E)”.

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(1) 2000 asp 8. Section 1 was amended by regulation 10 of the Education and Training (Scotland) Regulations 2000 (S.S.I. 2000/292).  
(2) S.S.I. 2011/107 amended by S.S.I. 2012/172.  
(3) 1973 c.50. Section 2 was substituted by the Employment Act 1988 (c.19), section 25(1). 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).

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*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

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(4) In regulation 12(3)(b)(ii) (grant: supplementary provision), after “(5D)” insert “, (5E)”.

**Savings and transitional provision**

**3.** Any payments which are due to a Learning Account Holder in terms of the Individual Learning Account (Scotland) Regulations 2011 immediately prior to the coming into force of these Regulations continue to be payable for the remainder of the Account Holder’s Year.

St Andrew’s House,  
Edinburgh  
26th February 2013

*ANGELA CONSTANCE*  
Authorised to sign by the Scottish Ministers

## **EXPLANATORY NOTE**

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

These Regulations amend the Individual Learning Account (Scotland) Regulations 2011 (“the 2011 Regulations”). The amendments have the effect of changing requirements for Qualifying Persons within the meaning of the 2011 Regulations so that those participating in certain training programmes will no longer be eligible for grant. These Regulations also make certain savings and transitional provision for those currently in receipt of grant (regulation 3).