

POLICY NOTE

THE EDUCATION (STUDENT SUPPORT) (MISCELLANEOUS AMENDMENTS) (SCOTLAND) REGULATIONS 2015

SSI 2015/212

The above instrument was made in exercise of the powers conferred by conferred by sections 49(3), 73(c) and (f), 73B and 74(1) of the Education (Scotland) Act 1980 and section 1 of the Education (Fees and Awards) Act 1983. The instrument is subject to negative procedure.

Policy Objectives

The SSI amends two sets of regulations, the Education (Student Loans for Tuition Fees) (Scotland) Regulations 2006 (“the 2006 Regulations”) and the Education (Student Loans) (Scotland) Regulations 2007 (“the 2007 Regulations”).

Amendment of the 2006 Regulations

The 2006 Regulations make provision for students studying at institutions outside Scotland but in the rest of the UK to access loans to pay their tuition fees.

Regulation 3(3) (c) of the 2006 Regulations provides that students who hold previous degrees are not eligible for a tuition fee loan.

However, our current policy is to allow students who hold previous degrees that were not funded through UK or EU public funds to access a tuition fee loan.

Regulation 3(3) (c) of the 2006 Regulations is, therefore, required to be removed to ensure that the regulations reflect the current policy.

Amendment of the 2007 Regulations

The 2007 Regulations make provision for payment of living cost loans to eligible undergraduate students. They also provide for payment of loans to cover the tuition fees of eligible postgraduate students who are resident in Scotland and studying in Scotland. These regulations do not currently allow postgraduate students to access living cost loans.

On 20th October 2013 the then Cabinet Secretary for Education, Michael Russell, announced the introduction of living-cost loans for eligible postgraduate students on prescribed taught postgraduate diploma courses. The amendments to the 2007 Regulations are necessary to bring those regulations in line with this change in policy and to enable the Student Awards Agency Scotland to pay living-cost loans to this group of students.

Impact Assessments

No Equality Impact Assessment was considered necessary due to the nature of the amendments.

Financial Effects

The Cabinet Secretary for Education and Lifelong Learning confirms that no BRIA is necessary as the instrument has no financial effects on the Scottish Government, local government or on business.

Scottish Government
Higher Education and Learner Support Directorate

27 May 2015