
SCOTTISH STATUTORY INSTRUMENTS

2019 No. 70

The Education (Fees and Student Support) (Miscellaneous Amendments) (EU Exit) (Scotland) Regulations 2019

Amendment of the Education (Student Loans) (Scotland) Regulations 2007

7.—(1) The Education (Student Loans) (Scotland) Regulations 2007(1) are amended in accordance with paragraphs (2) to (6).

(2) In regulation 2(1) (interpretation), in the definition of “loan”—

- (a) in sub-paragraph (a) after “Postgraduate masters degree,” insert “or undertaking a full-time or part-time research course leading to a Postgraduate masters degree,”,
- (b) in sub-paragraph (aa) after “Postgraduate masters degree,” insert “or undertaking a full-time (but not a part-time) research course leading to a Postgraduate masters degree,”.

(3) In regulation 3(2)(d) (eligible students)—

- (a) at the end of head (iii), omit “or”, and
- (b) after head (iv) insert—

“or

(v) any allowance, bursary or award of a similar description paid by United Kingdom Research and Innovation(2), where that person is undertaking a research course leading to a Postgraduate masters degree,”.

(4) In regulation 4 (designated courses)—

- (a) in paragraph (1)(b)(i) after “Postgraduate masters degree,” insert “or in relation to a research course leading to a Postgraduate masters degree,”,
- (b) in paragraph (1)(d) after “Postgraduate masters degree,” insert “or to a research course leading to a Postgraduate masters degree,”, and
- (c) after paragraph (4A) insert—

“(4AA) For the purposes of these Regulations, a research course means a course where the primary manner of study and assessment is based on independent research conducted by the student.”.

(5) In schedule 1 (eligible students)—

- (a) after paragraph 6D insert—

“**6E.**—(1) A person who—

- (a) has been granted discretionary leave to remain in the United Kingdom due to being identified as a victim of modern slavery,

(1) S.S.I. 2007/154, amended by S.S.I. 2007/503, S.S.I. 2008/205, S.S.I. 2008/206, S.S.I. 2009/188, S.S.I. 2009/189, S.S.I. 2009/309, S.S.I. 2010/300, S.S.I. 2012/272, S.S.I. 2013/380, S.S.I. 2015/212, S.S.I. 2016/82, S.S.I. 2017/180 and S.S.I. 2018/171.

(2) United Kingdom Research and Innovation is a body corporate established under section 91 of the Higher Education and Research Act 2017 (c.29).

- (b) has been ordinarily resident in the United Kingdom and Islands at all times since that person was first granted such discretionary leave to remain in the United Kingdom, and
 - (c) is ordinarily resident in Scotland on the first day of the first academic year of the course.
- (2) For the purposes of this paragraph, “modern slavery” includes human trafficking, slavery, servitude and forced or compulsory labour.”,
- (b) in paragraph 8A(1)(c) after “Postgraduate masters degree” insert “, or a research course leading to a Postgraduate masters degree.”, and
 - (c) after paragraph 11 insert—
“**12.** A person who would have fallen within one or more of paragraphs 1 to 11 immediately before exit day is to be treated as falling within the same paragraph or paragraphs on and after exit day.”.
- (6) In schedule 2 (designated courses) after paragraph 9 insert—
“**9A.** A research course leading to a Postgraduate masters degree.”.