
STATUTORY INSTRUMENTS

1999 No. 1001

The Education (Student Loans) (Scotland) Regulations 1999

PART II

ELIGIBILITY AND APPLICATIONS

Applications for loans

6.—(1) A student shall apply for a loan, not exceeding the maximum amount applicable in his case, in connection with his attendance on a course by completing and submitting to the Secretary of State an application in such form as the Secretary of State may require.

(2) The completed application shall include such information as the Secretary of State requires, including the following particulars—

- (a) the student's United Kingdom national insurance number, unless he does not have one;
- (b) the student's most recent student loan account number, if any; and
- (c) the names, addresses and telephone numbers of two persons who know the student.

(3) The completed application shall also include a declaration signed by the student that—

- (a) the particulars given in the form are correct to the best of his knowledge and belief;
- (b) he will notify the Secretary of State of any change in them which might affect his eligibility for a loan; and
- (c) he will, if required to do so, repay to the Secretary of State—

- (i) any amount paid to him which exceeds for whatever reason the amount of loan to which he is entitled under these Regulations, and
- (ii) any amount lent to him, together with interest and applicable charges and penalties, in accordance with the Act and Regulations made thereunder from time to time.

(4) The application form must reach the Secretary of State not later than one month before the end of the academic year of the course for which the loan is sought unless the Secretary of State considers that, having regard to the circumstances of the particular case, the time limit should be relaxed, in which case the application must reach the Secretary of State not later than such date as he specifies.

(5) A student shall demonstrate his eligibility for a loan by providing such evidence as the Secretary of State may require.

(6) Without restricting the generality of paragraph (5) a student shall produce—

- (a) if he was born in the United Kingdom, a certificate issued by the appropriate Secretary of State showing the place and date of his birth;
- (b) if he was born outside the United Kingdom, a valid passport, unless he is a refugee or does not hold one, and in any event a letter or other document issued by a responsible person which contains particulars of his date, place and country of birth and his full name on birth.

(7) The Secretary of State may take such steps and make such inquiries as he considers necessary to determine whether the student is eligible for a loan.

(8) If the Secretary of State considers that a student is eligible for a loan he shall notify him of that fact, and thenceforth the student shall be an “eligible student” for the purposes of these Regulations.

(9) In any case where—

(a) the Secretary of State determines that the maximum amount of loan which has been notified to an eligible student in relation to an academic year should be increased (including an increase from nil), as a result of a reassessment of the student’s contribution or otherwise; and

(b) the Secretary of State considers that the increase in the maximum amount does not result from the eligible student—

(i) failing to provide information promptly which might affect his eligibility for a loan or the amount of loan for which he is eligible, or

(ii) providing information which is inaccurate in any material particular,

the eligible student may apply to borrow an additional amount which when added to the amount already applied for shall not exceed the increased maximum.

(10) An application under paragraph (9) shall be made by completing and submitting to the Secretary of State an application in such form as he may require not later than one month before the end of the academic year or one month after he received notice of the increased maximum amount, whichever is the later, and shall contain a declaration signed by the eligible student in the terms set out in paragraph (3).

(11) Where an eligible student who has received at least one instalment of his loan has not applied for the maximum amount of loan to which he is entitled in relation to the academic year under the preceding paragraphs he may apply to borrow an additional amount once only under this paragraph, which when added to the amount already applied for shall not exceed the relevant maximum applicable in his case.

(12) An application under paragraph (11) shall be made by completing and submitting to the Secretary of State an application in such form as he may require not later than one month before the end of the academic year and shall contain a declaration signed by the student in the terms set out in paragraph (3).