
STATUTORY INSTRUMENTS

2022 No. 1335

**The Education (Student Loans) (Repayment)
(Amendment) (No. 4) Regulations 2022**

PART 2

Amendment of the Education (Student Loans) (Repayment) Regulations 2009

Amendment of Part 1 (general)

Insertion of regulations 3A to 3E (interpretation provisions)

6. After regulation 3 (interpretation) insert—

“Meaning of “plan 1 loan”

3A.—(1) A “plan 1 loan” is a loan—

(a) taken out by a person in respect of—

- (i) a course the person begins on or before 31st August 2012,
- (ii) a full-time course in relation to which the person has a transfer of status from another full-time course the person began on or before 31st August 2012, or
- (iii) a full-time honours degree course the person begins, disregarding any intervening vacation, immediately after ceasing to attend a full-time eligible course the person began on or before 31st August 2012 and for which the person achieved a qualification, and

(b) paid under an enactment cited in any of tables 1 to 3.

Table 1

Enactments applying in relation to England and Wales

<i>Title</i>	<i>Number</i>
The Education (Student Support) Regulations 1998 (revoked)	S.I. 1998/2003
The Education (Student Support) Regulations 1999 (revoked)	S.I. 1999/496
The Education (Student Support) Regulations 2000 (revoked)	S.I. 2000/1121
The Education (Student Support) Regulations 2001 (revoked)	S.I. 2001/951
The Education (Student Support) Regulations 2002 (revoked)	S.I. 2002/195
The Education (Student Support) (No. 2) Regulations 2002 (revoked)	S.I. 2002/3200
The Education (Student Support) Regulations 2005 (revoked)	S.I. 2005/52

Table 2**Enactments applying in relation to England**

<i>Title</i>	<i>Number</i>
The Education (Student Support) Regulations 2006 (revoked)	S.I. 2006/119
The Education (Student Support) Regulations 2007 (revoked)	S.I. 2007/176
The Education (Student Support) Regulations 2008 (revoked)	S.I. 2008/529
The Education (Student Support) (No.2) Regulations 2008 (revoked)	S.I. 2008/1582
The Education (Student Support) Regulations 2009 (revoked)	S.I. 2009/1555
The Education (Student Support) Regulations 2011	S.I. 2011/1986

Table 3**Enactments applying in relation to Wales**

<i>Title</i>	<i>Number</i>
The Assembly Learning Grants and Loans (Higher Education) (Wales) Regulations 2006 (revoked)	S.I. 2006/126 (W. 19)
The Assembly Learning Grants and Loans (Higher Education) (Wales) Regulations 2007 (revoked)	S.I. 2007/1045 (W. 104)
The Assembly Learning Grants and Loans (Higher Education) (Wales) Regulations 2008 (revoked)	S.I. 2008/1273 (W. 130)
The Assembly Learning Grants and Loans (Higher Education) (Wales) (No.2) Regulations 2008 (revoked)	S.I. 2008/3170 (W. 283)
The Assembly Learning Grants and Loans (Higher Education) (Wales) Regulations 2009 (revoked)	S.I. 2009/2737 (W. 235)
The Assembly Learning Grants and Loans (Higher Education) (Wales) Regulations 2011 (revoked)	S.I. 2011/148 (W. 32)
The Assembly Learning Grants and Loans (Higher Education) (Wales) (No. 2) Regulations 2011 (revoked)	S.I. 2011/886 (W.130)
The Education (Student Support) (Wales) Regulations 2012 (revoked)	S.I. 2012/3097 (W. 313)
The Education (Student Support) (Wales) Regulations 2013 (revoked)	S.I. 2013/3177 (W. 316)
The Education (Student Support) (Wales) Regulations 2015 (revoked)	S.I. 2015/54 (W. 5)
The Education (Student Support) (Wales) Regulations 2017	S.I. 2017/47 (W. 21)

(2) In this regulation, “transfer of status” means a transfer of status under—

- (a) regulation 7 of the 2011 Support Regulations⁽¹⁾, or
- (b) regulation 8 of any of the following—
 - (i) the Education (Student Support) (Wales) Regulations 2012⁽²⁾;
 - (ii) the Education (Student Support) (Wales) Regulations 2013⁽³⁾;
 - (iii) the Education (Student Support) (Wales) Regulations 2015⁽⁴⁾;
 - (iv) the Education (Student Support) (Wales) Regulations 2017⁽⁵⁾.

Meaning of “plan 2 loan”

3B.—(1) A “plan 2 loan” is a loan mentioned in any of paragraphs (2) to (4).

(2) A loan—

- (a) taken out by the person in respect of—
 - (i) a course the person begins during the period beginning on 1st September 2012 and ending at the close of 31st July 2023,
 - (ii) a course in relation to which the person has a variation of status from another course the person began during the period mentioned in paragraph (i), or
 - (iii) an honours degree course the person begins, disregarding any intervening vacation, immediately after ceasing to attend or undertake an eligible course the person began during the period mentioned in paragraph (i) and for which the person achieved a qualification, and
- (b) paid under any of the following enactments—
 - (i) the 2011 Support Regulations;
 - (ii) the Further Education Loans Regulations 2012⁽⁶⁾.

(3) A loan—

- (a) taken out by the person in respect of a course the person begins during the period beginning on 1st September 2022 and ending at the close of 31st July 2025, and
- (b) paid under the Higher Education Short Course Loans Regulations 2022⁽⁷⁾ (which apply in relation to England).

(4) A loan—

- (a) taken out by the person in respect of a course the person begins on or after 1st September 2012, and
- (b) paid to the person under an enactment cited in the table (which apply in relation to Wales).

<i>Title</i>	<i>Number</i>
The Assembly Learning Grants and Loans (Higher Education) (Wales) (No. 2) Regulations 2011 (revoked)	S.I. 2011/886 (W.130)

(1) Regulation 3(1) of the Education (Student Loans) (Repayment) Regulations 2009 defines “the 2011 Support Regulations” as the Education (Student Support) Regulations 2011 (S.I. 2011/1986).

(2) S.I. 2012/3097 (W. 313); the amending instruments are not relevant.

(3) S.I. 2013/3177 (W. 316); the amending instruments are not relevant.

(4) S.I. 2015/54 (W. 5); the amending instruments are not relevant.

(5) S.I. 2017/47 (W. 21); the amending instruments are not relevant.

(6) S.I. 2012/1818, amended by S.I. 2014/290, 1766, 2015/181, 2016/238, 584, 2017/336, 2018/182, 2019/142, 983, 2020/48, 1181, 1203, 2021/127, 929, 1348, 2022/57, 354, and 534.

(7) S.I. 2022/349, amended by S.I. 2022/534.

<i>Title</i>	<i>Number</i>
The Education (Student Support) (Wales) Regulations 2012 (revoked)	S.I. 2012/3097 (W. 313)
The Education (Student Support) (Wales) Regulations 2013 (revoked)	S.I. 2013/3177 (W. 316)
The Education (Student Support) (Wales) Regulations 2015 (revoked)	S.I. 2015/54 (W. 5)
The Education (Student Support) (Wales) Regulations 2017	S.I. 2017/47 (W. 21)
The Education (Student Support) (Wales) Regulations 2018	S.I. 2018/191 (W. 42)

(5) Despite paragraphs (1), (2) and (4), a loan taken out by the person for a course mentioned in regulation 3A(1)(a)(ii) or (iii) is a plan 1 loan.

(6) In this regulation, “variation of status” means any of the following—

- (a) a conversion of status under regulation 139B or 139C of the 2011 Support Regulations;
- (b) a transfer of status under—
 - (i) regulation 7 or 139A of the 2011 Support Regulations;
 - (ii) regulation 8 of the Further Education Loans Regulations 2012.

Meaning of “plan 3 loan”

3C. A “plan 3 loan” is a loan paid under an enactment cited in any of tables 1 to 4.

Table 1

Enactments applying in relation to England (postgraduate master’s degree)

<i>Title</i>	<i>Number</i>
The Education (Postgraduate Master’s Degree Loans) Regulations 2016	S.I. 2016/606

Table 2

Enactments applying in relation to Wales (postgraduate master’s degree)

<i>Title</i>	<i>Number</i>
The Education (Postgraduate Master’s Degree Loans) (Wales) Regulations 2017	S.I. 2017/523 (W. 109)
The Education (Student Support) (Postgraduate Master’s Degrees) (Wales) Regulations 2019	S.I. 2019/895 (W. 161)

Table 3**Enactments applying in relation to England (postgraduate doctoral degree)**

<i>Title</i>	<i>Number</i>
The Education (Postgraduate Doctoral Degree Loans and the Education (Student Loans) (Repayment) (Amendment) (No. 2) etc.) Regulations 2018	S.I. 2018/599

Table 4**Enactments applying in relation to Wales (postgraduate doctoral degree)**

<i>Title</i>	<i>Number</i>
The Education (Postgraduate Doctoral Degree Loans) (Wales) Regulations 2018	S.I. 2018/656 (W. 124)

Meaning of “plan 4 loan”

3D. A “plan 4 loan” is a loan—

- (a) paid under an enactment cited in the table, and
- (b) in respect of which the Scottish Ministers have determined that repayments are to be collected by HMRC under Parts 3 and 4**(8)**.

<i>Title</i>	<i>Number</i>
The Education (Student Loans) (Scotland) Regulations 1998 (revoked)	S.I. 1998/2026 (S. 107)
The Education (Student Loans) (Scotland) Regulations 1999 (revoked)	S.I. 1999/1001 (S. 71)
The Education (Student Loans) (Scotland) Regulations 2000 (revoked)	S.S.I. 2000/200
The Graduate Endowment (Scotland) Regulations 2001 (revoked)	S.S.I. 2001/280
The Education (Student Loans for Tuition Fees) (Scotland) Regulations 2006 (revoked)	S.S.I. 2006/333
The Education (Student Loans) (Scotland) Regulations 2007 (revoked)	S.S.I. 2007/154
The Graduate Endowment (Scotland) Regulations 2007 (revoked)	S.S.I. 2007/155
The Graduate Endowment (Scotland) Regulations 2008	S.S.I. 2008/235
The Student Support (Scotland) Regulations 2022	S.S.I. 2022/157

Meaning of “plan 5 loan”

3E.—(1) A “plan 5 loan” is a loan—

(8) If the Scottish Ministers so determine, the Authority must notify His Majesty’s Revenue and Customs and the borrower (see regulation 15(3)).

- (a) taken out by a person in respect of a course the person begins on or after 1st August 2023, and
 - (b) paid under any of the following—
 - (i) the 2011 Support Regulations;
 - (ii) the Further Education Loans Regulations 2012.
- (2) Despite paragraph (1), a loan taken out by a person for a course mentioned in regulation 3B(2)(a)(ii) or (iii) is a plan 2 loan.”.