
SCOTTISH STATUTORY INSTRUMENTS

2000 No. 110

The Repayment of Student Loans (Scotland) Regulations 2000

**PART I
GENERAL**

Citation and commencement

1.—(1) These Regulations may be cited as the Repayment of Student Loans (Scotland) Regulations 2000 and shall come into force on 16th May 2000.

Commencement Information

II Reg. 1 in force at 16.5.2000, see **reg. 1(1)**

Interpretation

2. In these Regulations—

“the Act” means the Education (Scotland) Act 1980⁽¹⁾;

^{F1}
...

“borrower” means a person to whom the Scottish Ministers have lent money pursuant to regulations made under section 73 of the Act and who has not received a notice from them that it has been repaid in full or cancelled;

“Collection Regulations” means the [^{F2}Education (Student Loans) (Repayment) Regulations 2009];

[^{F3}“continuous programme of higher education” means a programme of education undertaken by an individual comprising—

(a) either—

- (i) a course leading to a Higher National Certificate immediately followed by a course leading to a Higher National Diploma (disregarding any intervening vacation); or
- (ii) a course leading to a Higher National Diploma; and

(b) a course of higher education not of a kind referred to in paragraph (a) above which commences in the academic year immediately following the end of the course referred to in paragraph (a) or in the following academic year;]

“disability related benefit” means long term incapacity benefit or short term incapacity benefit at the higher rate, severe disablement allowance, disability living allowance, industrial injuries benefit and disability working allowance, all payable under the Social Security Contributions

and Benefits Act 1992(2), [^{F4}an employment and support allowance payable under Part 1 of the Welfare Reform Act 2007][^{F5}, personal independence payment payable under Part 4 of the Welfare Reform Act 2012][^{F6}, armed forces independence payment under the Armed Forces and Reserve Forces (Compensation Scheme) Order 2011][^{F7}, child disability payment given in accordance with the Disability Assistance for Children and Young People (Scotland) Regulations 2021, short-term assistance given in accordance with Part 1 of the schedule (short-term assistance) of those Regulations][^{F8}, adult disability payment given in accordance with the Disability Assistance for Working Age People (Scotland) Regulations 2022 (“the 2022 Regulations”), short-term assistance given in accordance with Part 1 of schedule 2 (short-term assistance) of the 2022 Regulations] or the amount of any disability premium and severe disability premium included in the applicable amount in calculating the income support payable under the Income Support (General) Regulations 1987(3);

[^{F9}“HMRC” means Her Majesty’s Revenue and Customs;]

“Loan Regulations” means the Education (Student Loans) (Scotland) Regulations 1999(4);

“repayment” means a repayment of a student loan;

[^{F10}“repayment threshold” means—

(a) for the year of assessment ending on [^{F11}5 April 2022], an amount equal to [^{F12}£25,000] + ([^{F12}£25,000] x Y%) and rounded up to the nearest £5 where Y is the percentage increase between the retail prices all items index published by the Office of National Statistics for the two Marches immediately before the commencement of that year of assessment;

(b) for any year of assessment ending after [^{F13}6 April 2022]^{F14} ..., an amount equal to X + (X x Y%) and rounded up to the nearest £5 where—

X is the repayment threshold for the previous year of assessment, and

Y is the percentage increase between the retail prices all items index published by the Office of National Statistics for the two Marches immediately before the commencement of the previous year of assessment^{F15} ...

(c) ^{F15} ...]

“Scottish Ministers” includes any person exercising functions on their behalf pursuant to arrangements made under section 73A(3) of the Act(5);

“student loan” means the total outstanding principal, interest, penalties and charges owed by a borrower to the Scottish Ministers pursuant to these or any other regulations made under section 73 of the Act, excluding any interest, penalties or charges payable under [^{F16}Part 3 or 4] of the Collection Regulations;

[^{F3}“the 2007 Regulations” means the Education (Student Loans) (Scotland) Regulations 2007]

“year of assessment” means the period 6th April to the following 5th April.

F1 Words in reg. 2(1) omitted (7.4.2009) by virtue of [The Repayment of Student Loans \(Scotland\) Amendment Regulations 2009 \(S.S.I. 2009/102\)](#), regs. 1, **3(a)**

F2 Words in reg. 2(1) substituted (7.4.2009) by [The Repayment of Student Loans \(Scotland\) Amendment Regulations 2009 \(S.S.I. 2009/102\)](#), regs. 1, **3(b)**

(2) 1992 c. 4, amended by the Social Security (Incapacity for Work) Act 1994 (c. 18), sections 1 to 3, 5 to 6, 8 to 11 and Schedules 1 and 2.

(3) S.I.1987/1967 (see Parts III and IV of Schedule 2); the relevant amending regulations are S.I. 1988/663, 2022, 1989/1678, 1991/1559, 2742, 1993/1150, 2119, 1994/2139, 3061, 1995/482, 515, 1997/543.

(4) S.I. 1999/1001; as amended by S.I. 1999/1131.

(5) 1980 c. 44. Section 73A was inserted by section 29(2) of the Teaching and Higher Education Act 1998 (c. 30). 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).

- F3** Words in reg. 2 inserted (1.8.2007) by The Repayment of Student Loans (Scotland) Amendment Regulations 2007 (S.S.I. 2007/159), regs. 1, **3**
- F4** Words in reg. 2 added (27.10.2008) by The Employment and Support Allowance (Consequential Provisions) (No. 3) Regulations 2008 (S.I. 2008/1879), regs. 1(1), **36**
- F5** Words in reg. 2 inserted (8.4.2013) by The Welfare Reform (Consequential Amendments) (Scotland) Regulations 2013 (S.S.I. 2013/65), art. 1, **reg. 6**
- F6** Words in reg. 2 inserted (11.6.2013) by The Welfare Reform (Consequential Amendments) (Scotland) (No. 3) Regulations 2013 (S.S.I. 2013/142), regs. 1, **6**
- F7** Words in reg. 2 inserted (26.7.2021) by The Disability Assistance for Children and Young People (Consequential Amendment and Transitional Provision) (Scotland) Regulations 2021 (S.S.I. 2021/73), regs. 1, **7** (with reg. 19)
- F8** Words in reg. 2 inserted (21.3.2022) by The Disability Assistance for Working Age People (Consequential and Miscellaneous Amendment and Transitional Provision) (Scotland) Regulations 2022 (S.S.I. 2022/31), regs. 1, **7** (with reg. 20)
- F9** Words in reg. 2(1) inserted (7.4.2009) by The Repayment of Student Loans (Scotland) Amendment Regulations 2009 (S.S.I. 2009/102), regs. 1, **3(c)**
- F10** Words in reg. 2 inserted (6.4.2012) by The Repayment of Student Loans (Scotland) Amendment Regulations 2012 (S.S.I. 2012/22), regs. 1, **3**
- F11** Words in reg. 2(a) substituted (6.4.2021) by The Repayment of Student Loans (Scotland) Amendment Regulations 2021 (S.S.I. 2021/8), regs. 1, **3(a)(i)** (with reg. 9)
- F12** Sum in Reg. 2(a) substituted (6.4.2021) by The Repayment of Student Loans (Scotland) Amendment Regulations 2021 (S.S.I. 2021/8), regs. 1, **3(a)(ii)** (with reg. 9)
- F13** Words in reg. 2(b) substituted (6.4.2021) by virtue of The Repayment of Student Loans (Scotland) Amendment Regulations 2021 (S.S.I. 2021/8), regs. 1, **3(b)** (with reg. 9)
- F14** Words in reg. 2 omitted (5.4.2016) by virtue of The Education (Fees, Awards and Student Support) (Miscellaneous Amendments) (Scotland) Regulations 2016 (S.S.I. 2016/82), regs. 1(3), **3(2)(a)**
- F15** Words in reg. 2 omitted (5.4.2016) by virtue of The Education (Fees, Awards and Student Support) (Miscellaneous Amendments) (Scotland) Regulations 2016 (S.S.I. 2016/82), regs. 1(3), **3(2)(b)**
- F16** Words in reg. 2(1) substituted (7.4.2009) by The Repayment of Student Loans (Scotland) Amendment Regulations 2009 (S.S.I. 2009/102), regs. 1, **3(d)**

Commencement Information

- I2** Reg. 2 in force at 16.5.2000, see **reg. 1(1)**

Revocation

- 3.** Regulation 16 of the Loan Regulations is hereby revoked.

Commencement Information

- I3** Reg. 3 in force at 16.5.2000, see **reg. 1(1)**

Changes to legislation:

There are currently no known outstanding effects for the The Repayment of Student Loans (Scotland) Regulations 2000, PART I.