

Status: This version of this contains provisions that are prospective.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Education (Student Loans) (Scotland) Regulations 2007. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

PROSPECTIVE

SCHEDULE 1

ELIGIBLE STUDENTS

3.—(1) A person who—

(a) is—

(i) the family member of a person mentioned in paragraph 2(1)(a); or

(ii) is entitled to support by virtue of Article 12 of Council Regulation (EEC) No. 1612/68 on the freedom of movement of workers⁽¹⁾, as extended by the EEA agreement;

(b) has been ordinarily resident in the territory comprising the European Economic Area and Switzerland throughout the period of 3 years immediately preceding the first day of the first academic year of the course; and

(c) subject to sub-paragraph (2), is ordinarily resident in Scotland on the first day of the first academic year of the course.

(2) Sub-paragraph (1)(c) does not apply where the person applying for support is a family member of a person falling within paragraph 2(1)(a)(iii) or (iv).

Commencement Information

II Sch. 1 para. 3 in force at 1.8.2007, see [reg. 1](#)

⁽¹⁾ O.J. No. L 257, 19.10.68, p.2 (O.J./S.E. 1968(II) p.475), amended by Council Regulation (EEC) No. 2434/92 (O.J. No. L 245, 26.8.92, p.1).

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Changes and effects yet to be applied to :

- Sch. 1 para. 3 coming into force by S.S.I. 2007/154 reg. 1
- sch. 1 para. 3(1)(a)(i) omitted by S.S.I. 2021/28 reg. 22(b)(ii)
- sch. 1 para. 3(2) omitted by S.S.I. 2021/28 reg. 22(b)(v)
- sch. 1 para. 3(1) words inserted by S.S.I. 2021/28 reg. 22(b)(i)
- sch. 1 para. 3(1)(b) words inserted by S.S.I. 2021/28 reg. 22(b)(iii)
- sch. 1 para. 3(1)(c) words omitted by S.S.I. 2021/28 reg. 22(b)(iv)
- Sch. 1 para. 3(1)(a)(ii) words substituted by S.S.I. 2013/80 reg. 27(2)
- Regulations revoked by S.S.I. 2022/157 Sch. 5

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

- Blanket amendment words substituted by S.I. 2011/1043 art. 3-68-10

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 1 para. 4(3) inserted by S.S.I. 2007/503 reg. 8(3)(a)(ii)
- Sch. 1 para. 10 inserted by S.S.I. 2007/503 reg. 8(3)(b)
- Sch. 1 para. 6A inserted by S.S.I. 2009/309 reg. 17
- Sch. 1 para. 8A inserted by S.S.I. 2012/72 reg. 35(5)
- Sch. 1 para. 11 inserted by S.S.I. 2012/72 reg. 35(6)
- Sch. 1 para. 6B inserted by S.S.I. 2016/82 reg. 10(2)
- sch. 1 para. 6C6D inserted by S.S.I. 2018/171 reg. 6(4)(a)
- sch. 1 para. 6E inserted by S.S.I. 2019/70 reg. 7(5)(a)
- sch. 1 para. 12 inserted by S.S.I. 2019/70 reg. 7(5)(c)
- sch. 1 para. 6F6G inserted by S.S.I. 2020/213 reg. 6
- sch. 1 para. 8A(3)(c) inserted by S.S.I. 2021/28 reg. 22(e)(iii)(bb)
- sch. 1 para. 10(aa) inserted by S.S.I. 2021/28 reg. 22(g)(ii)
- sch. 1 para. 10A-10D inserted by S.S.I. 2021/28 reg. 22(h)
- sch. 1 para. 8A(4) omitted by S.S.I. 2021/28 reg. 22(e)(iv)
- sch. 1 para. 12 omitted by S.S.I. 2021/28 reg. 22(j)
- Sch. 1 para. 8A(1)(a) substituted by S.S.I. 2013/80 reg. 27(3)(a)
- Sch. 1 para. 8A(3)(b) substituted by S.S.I. 2013/80 reg. 27(3)(b)
- sch. 1 para. 8A(1) substituted by S.S.I. 2021/28 reg. 22(e)(i)
- sch. 1 para. 8A(2) substituted by S.S.I. 2021/28 reg. 22(e)(ii)
- sch. 1 para. 8A(1)(c) word substituted by S.S.I. 2018/171 reg. 6(4)(b)
- sch. 1 para. 8A(1)(c) words inserted by S.S.I. 2019/70 reg. 7(5)(b)
- sch. 1 para. 4(3) words inserted by S.S.I. 2021/28 reg. 22(c)(v)
- sch. 1 para. 10(a) words inserted by S.S.I. 2021/28 reg. 22(g)(i)
- sch. 1 para. 10(c) words inserted by S.S.I. 2021/28 reg. 22(g)(iii)
- sch. 1 para. 11(1) words inserted by S.S.I. 2021/28 reg. 22(i)(i)
- Sch. 1 para. 4(3) words substituted by S.S.I. 2012/72 reg. 35(3)(b)
- sch. 1 para. 8A(3)(a) words substituted by S.S.I. 2021/28 reg. 22(e)(iii)(aa)
- sch. 1 para. 11(2) words substituted by S.S.I. 2021/28 reg. 22(i)(ii)
- Sch. 2 para. 89 inserted by S.S.I. 2012/72 reg. 36

- sch. 2 para. 10 inserted by S.S.I. 2017/180 reg. 20
- sch. 2 para. 9A inserted by S.S.I. 2019/70 reg. 7(6)
- sch. 2 para. 8 word substituted by S.S.I. 2018/171 reg. 6(5)
- sch. 2 para. 9 word substituted by S.S.I. 2018/171 reg. 6(5)
- reg. 2(8) inserted by S.S.I. 2017/180 reg. 16(b)
- reg. 2(8)(a) words substituted by S.S.I. 2018/171 reg. 6(2)(b)
- reg. 2(9) inserted by S.S.I. 2021/28 reg. 21(f)
- reg. 3(2)(d)(v) and word inserted by S.S.I. 2019/70 reg. 7(3)(b)
- reg. 3(2)(d)(iii) and word inserted by S.S.I. 2017/180 reg. 18
- reg. 3(2)(d)(iii) word omitted by S.S.I. 2019/70 reg. 7(3)(a)
- reg. 3(2)(d)(iv) and word inserted by S.S.I. 2018/307 reg. 3(b)
- reg. 3(2A) inserted by S.S.I. 2012/72 reg. 33(2)
- reg. 3(2A) substituted by S.S.I. 2015/212 reg. 3(3)
- reg. 3(6)(7) inserted by S.S.I. 2012/72 reg. 33(3)
- reg. 4(1)(b)(i) words inserted by S.S.I. 2019/70 reg. 7(4)(a)
- reg. 4(1)(d)(i)(ii) and words inserted by S.S.I. 2018/171 reg. 6(3)(b)
- reg. 4(4A)(4B) inserted by S.S.I. 2018/171 reg. 6(3)(c)
- reg. 4(4AA) inserted by S.S.I. 2019/70 reg. 7(4)(c)