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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Education (Student Loans for Tuition Fees) (Scotland) Regulations 2006 and the Education (Student Loans) (Scotland) Regulations 2007 so that the insolvency provisions in those Regulations also apply to student loans paid or payable before or on the date that the debtor's estate is sequestrated.

This means that such loans will not form part of the debtor's estate and cannot, therefore, be claimed by the debtor's trustee. The debtor will also not be discharged from the liability to repay such loans under or by virtue of section 54 or 75(4) of the Bankruptcy (Scotland) Act 1985 (c.66).