

## SCHEDULE 5

### Capital to be disregarded

**55.—(1)** Any payment—

- (a) by way of an education maintenance allowance made pursuant to—
    - (i) regulations made under section 49 or 73(f) of the Education (Scotland) Act 1980;
    - (ii) directions made under section 73ZA of the Education (Scotland) Act 1980 and paid under section 12(2)(c) of the Further and Higher Education (Scotland) Act 1992; or
    - (iii) regulations made under section 518 of the Education Act 1996; or
  - (b) corresponding to an education maintenance allowance made pursuant to—
    - (i) section 14 or section 181 of the Education Act 2002 (power of Secretary of State and National Assembly for Wales to give financial assistance for purposes related to education or childcare, and allowances in respect of education or training); or
    - (ii) regulations made under section 181 of that Act.
- (2) Any payment, other than a payment to which sub-paragraph (1) applies, made pursuant to—
- (a) regulations made under section 49 of the Education (Scotland) Act 1980;
  - (b) directions made under section 73ZA of the Education (Scotland) Act 1980 and paid under section 12(2)(c) of the Further and Higher Education (Scotland) Act 1992; or
  - (c) regulations made under section 518 of the Education Act 1996,

in respect of a course of study attended by a child or a young person or a person who is in receipt of an education maintenance allowance made pursuant to any provision specified in sub-paragraph (1).