
STATUTORY INSTRUMENTS

1993 No. 1214

The Education (Student Loans) Regulations 1993

Conditions of eligibility

4.—(1) A student attending a course of higher education of at least one academic year's duration shall be eligible for a loan in relation to an academic year which begins on or after 1st August 1993 if—

- (a) his course of study during that academic year forms part or all of—
 - (i) a full-time course; or
 - (ii) a course (whether or not full-time) for the initial training of teachers which is for the time being designated by or under regulations made by virtue of section 1(2)(b) and (3)(c) of the Education Act 1962(1); and
 - (b)
 - (i) he satisfies the conditions prescribed in the Schedule to these Regulations; or
 - (ii) in respect of the course he satisfies one of the conditions of eligibility for an allowance set down in Schedule 1 to the Students' Allowances (Scotland) Regulations 1991(2); or
 - (iii) before the commencement of or at any time during that academic year he has been recognised as a refugee and from that time he has been ordinarily resident in the British Islands, or is the spouse or child of such a person; and
 - (c) the loans administrator has received the certified eligibility form referred to in regulation 13(2)(g) in connection with his application for the loan; and
 - (d) he has agreed with the loans administrator to notify the latter promptly in writing if he ceases to attend his course—
 - (i) because he has completed it on a date earlier than that specified by him in the eligibility form issued to him under regulation 13(2)(d); or
 - (ii) otherwise than because he has completed it; and
 - (e) he has agreed with the loans administrator to accept payment of the loan by direct credit to his bank or building society account and has provided the administrator with a signed direct debiting instruction in favour of the administrator in respect of repayments of the loan from that account; and
 - (f) he has entered into an agreement for the loan not later than the end of the period of 12 months beginning on 1st August in which that academic year begins; and
 - (g) he is not a person to whom paragraph (2) applies.
- (2) This paragraph applies to a person who—
- (a) before the date on which the course begins has attained the age of fifty years; or
 - (b) is attending a course leading to registration in Part 12, 13, 14 or 15 of the register maintained by the United Kingdom Central Council for Nursing, Midwifery and Health

(1) 1962 c. 12; the Regulations in force at the date these Regulations are made are the Education (Mandatory Awards) Regulations 1992 (S.I.1992/1270).

(2) S.I. 1991/1522.

Visiting under section 10 of the Nurses, Midwives and Health Visitors Act 1979(3) and is eligible to receive payment of a bursary or salary out of funds paid by the Secretary of State under section 97 of the National Health Service Act 1977(4) or section 85(1) of the National Health Service (Scotland) Act 1978(5); or

- (c) in respect of his attendance at the course is eligible to receive an allowance under the Nursing and Midwifery Student Allowances (Scotland) Regulations 1992(6); or
- (d) is studying for the Postgraduate Certificate in Education as a participant in arrangements made by a local education authority for the training of teachers known as the “Articled Teachers Scheme”; or
- (e) is in breach of any obligation contained in any agreement for a loan; or
- (f) subject to paragraph (3) was under the age of 18 when any agreement for a loan was made with him and who has not ratified that agreement after attaining that age.

(3) In the case of an agreement for a loan which is subject to the law of Scotland, sub-paragraph (f) of paragraph (2) shall apply only if—

- (a) the agreement referred to in that sub-paragraph was entered into before 25th September 1991; and
- (b) that agreement was made—
 - (i) with the concurrence of the borrower’s curator; or
 - (ii) at a time when the borrower had no curator.

(4) A student shall not be eligible for a loan in relation to more than one academic year or more than one course beginning in any period of twelve months beginning on 1st August in any year.

(3) 1979 c. 36.

(4) 1977 c. 49; section 97 was substituted by section 6(1) of the Health Services Act 1980 (c. 53) and amended by section 6(1) of, and paragraph 9 of Schedule 3 to, the Health and Social Security Act 1984 (c. 48), section 16(1) of the Health and Medicines Act 1988 (c. 49) and section 19 of the National Health Service and Community Care Act 1990 (c. 19).

(5) 1978 c. 29; section 85(1) was substituted by section 6 of the Health Services Act 1980 c. 53.

(6) S.I. 1992/580.