
STATUTORY INSTRUMENTS

2022 No. 1335

**The Education (Student Loans) (Repayment)
(Amendment) (No. 4) Regulations 2022**

PART 2

Amendment of the Education (Student Loans) (Repayment) Regulations 2009

Amendment of Part 1 (general)

Amendments to regulation 3 (interpretation)

5.—(1) In regulation 3(1)—

- (a) after the definition of “the 2008 Act” (which is omitted by sub-paragraph (q)) insert—
““the 2000 (Scotland) Regulations” means the Repayment of Student Loans (Scotland) Regulations 2000(1);”;
- (b) for the definition of “the Authority” substitute—
““the Authority” means—
 - (a) in relation to a plan 1, 2 or 3 loan and subject to regulation 7—
 - (i) the Welsh Ministers in the case of a loan made or deemed made by them,
or
 - (ii) the Secretary of State in any other case;
 - (b) in relation to a plan 4 loan—
 - (i) the Scottish Ministers, or
 - (ii) a person exercising functions in accordance with arrangements made under section 73A(3) of the Education (Scotland) Act 1980;
 - (c) in relation to a plan 5 loan and subject to regulation 7, the Secretary of State;”;
- (c) for the definition of “borrower” substitute—
““borrower” means a person—
 - (a) in respect of whom a student loan has been paid, and
 - (b) who has not received a notice from the Authority or the loan purchaser (as the case may be) that the loan has been repaid in full or cancelled;”;
- (d) after the definition of “borrower” insert—
““country” includes territory;
“country-specific multiplier” means the country-specific multiplier calculated in accordance with regulation 8A;”;

(1) S.S.I. 2000/110, amended by S.I. 2008/1879 and S.S.I. 2000/200, 2001/227, 2005/314, 2006/326, 2007/159, 2009/102, 2012/22, 2013/65, 80, 142, 2016/82, 2018/307, 2019/70, 2021/8, 73 and 2022/31.

- (e) after the definition of “eligible borrower” (which is omitted by sub-paragraph (q)) insert—
- ““eligible course” means any of the following—
- (a) a course for the Certificate of Higher Education;
 - (b) a course for the Diploma of Higher Education;
 - (c) a course for the Higher National Certificate or Higher National Diploma of—
 - (i) the Business and Technician Education Council, or
 - (ii) the Scottish Qualifications Authority;
 - (d) a foundation degree course;
 - (e) an ordinary degree course;”;
- (f) in the definition of “loan purchaser”, for “one or more student loans or postgraduate degree loans made pursuant to Regulations made under section 22 of the 1998 Act” substitute “a plan 1 loan”;
- (g) after the definition of “part-time” (which is omitted by sub-paragraph (q)) insert—
- ““plan 1 loan” has the meaning given in regulation 3A;
- “plan 2 loan” has the meaning given in regulation 3B;
- “plan 3 loan” has the meaning given in regulation 3C;
- “plan 4 loan” has the meaning given in regulation 3D;
- “plan 5 loan” has the meaning given in regulation 3E;”;
- (h) after the definition of “postgraduate degree loan borrower” (which is omitted by sub-paragraph (q)) insert—
- ““principal” has the meaning given in regulation 4(3);”;
- (i) for the definition of “repayment” substitute—
- ““repayment” has the meaning given in regulation 4(2);”;
- (j) for the definition of “repayment threshold” substitute—
- ““repayment threshold” means the repayment threshold set out in, or calculated in accordance with, Schedule 1A;”;
- (k) after the definition of “repayment threshold” insert—
- ““repayment threshold variable” means the repayment threshold variable calculated in accordance with regulation 8B;”;
- (l) after the definition of “repayment threshold year” insert—
- ““residence” has the same meaning as in the Taxes Acts (whether in relation to the United Kingdom or any other country);
- “retail price index” means the RPI All Items Index published by the Office for National Statistics⁽²⁾;”;
- (m) after the definition of “Secretary of State” insert—
- ““standard interest rate” means, in relation to a loan, the greater of—
- (a) zero, or
 - (b) the percentage increase in the retail price index between the two Marches immediately before the commencement of the academic year in which the loan bears interest⁽³⁾;”;

(2) The RPI All Items Index is published at <https://www.ons.gov.uk/economy/inflationandpriceindices/timeseries/chaw/>.

(3) The percentage increase is published at <https://www.ons.gov.uk/economy/inflationandpriceindices/timeseries/czbh/>.

- (n) for the definition of “student loan” substitute—
- ““student loan” means any of the following—
- (a) a plan 1 loan;
 - (b) a plan 2 loan;
 - (c) a plan 3 loan;
 - (d) a plan 4 loan;
 - (e) a plan 5 loan;”;
- (o) after the definition of “Teachers’ Regulations” (which is omitted by sub-paragraph (q)) insert—
- ““transfer arrangements” means—
- (a) transfer arrangements made under section 1(1) or 9(1) of the Sale of Student Loans Act 2008, and
 - (b) further transfer arrangements made under section 3(1) of that Act (if any);”;
- (p) for the definition of “transferred loan” substitute—
- ““transferred loan” means a plan 1 loan in respect of which transfer arrangements are made;”;
- (q) omit the definitions of the following expressions—
- “the 1988 Act”;
 - “the 2005 Act”;
 - “the 2007 Act”
 - “the 2008 Act”;
 - “the 2011 Welsh Regulations”;
 - “the 2016 Master’s Degree Regulations”;
 - “the 2017 Master’s Degree Wales Regulations”;
 - “the 2018 Doctoral Degree Regulations”;
 - “the 2018 Doctoral Degree Wales Regulations”;
 - “Access to HE Diploma”;
 - “designated course”;
 - “eligible borrower”;
 - “eligible employment”;
 - “eligible teacher”;
 - “overseas provisions”;
 - “part-time”;
 - “post-2012 student loan”;
 - “postgraduate degree loan”;
 - “postgraduate degree loan borrower”;
 - “relevant percentage difference in average earnings”;
 - “Scottish student loan”;
 - “student loan borrower”;
 - “tax year 2009–10”;

“Teachers’ Regulations”.

(2) Omit regulation 3(2).