

2016 No. 261

EDUCATION

**The Education (Student Loans) (Scotland) Amendment
Regulations 2016**

<i>Made</i>	- - - -	<i>8th September 2016</i>
<i>Laid before the Scottish Parliament</i>		<i>9th September 2016</i>
<i>Coming into force</i>	- -	<i>8th October 2016</i>

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 73(f) and 74(1) of the Education (Scotland) Act 1980(a) and all other powers enabling them to do so.

Citation and commencement

1. These Regulations may be cited as the Education (Student Loans) (Scotland) Amendment Regulations 2016 and come into force on 8th October 2016.

Amendment of the Education (Student Loans) (Scotland) Regulations 2007

2. In regulation 3 (eligible students) of the Education (Student Loans) (Scotland) Regulations 2007(b), for paragraph (2)(b) substitute—

“(b) is under the age of 60 on the first day of the first academic year of the course;”.

S SOMERVILLE

Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh
8th September 2016

(a) 1980 c.44. Section 73(f) was amended by section 29(1) of the Teaching and Higher Education Act 1998 (c.30) and section 3(2) of the Education (Graduate Endowment and Student Support) (Scotland) Act 2001 (asp 6). Section 74(1) was amended by section 82(1) and paragraph 8(17) of schedule 10 of the Self-Governing Schools etc. (Scotland) Act 1989 (c.39). The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

(b) S.S.I. 2007/154, Regulation 3 was amended by S.S.I. 2008/205, S.S.I. 2012/72 and S.S.I. 2015/212. The definition of an “eligible student” in regulation 3 cross refers to the list of persons in schedule 1 of those regulations which was amended by S.S.I. 2007/503, S.S.I. 2009/188, S.S.I. 2009/309, S.S.I. 2013/80 and S.S.I. 2016/82.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Education (Student Loans) (Scotland) Regulations 2007 (“the 2007 Regulations”) to increase the maximum age at which a person may be eligible for a loan towards their maintenance as a student attending a designated course of higher education.

Regulation 2 amends regulation 3 (eligible students) of the 2007 Regulations to alter one of the requirements that determine eligibility of a student for a maintenance loan.

From 8th October 2016, to be eligible for a maintenance loan, a person must be under the age of 60 on the first day of the first academic year of the course. This replaces the requirement that the person must be either under the age of 50 or aged 50 to 54 and able to satisfy the Scottish Ministers that they intend to enter employment after the completion of the course.

The other requirements for eligibility in regulation 3 of the 2007 Regulations remain.

No business and regulatory impact assessment has been prepared for these Regulations as no impact upon business, charities or voluntary bodies is foreseen.

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