SCOTTISH STATUTORY INSTRUMENTS

2004 No. 256

EDUCATION

The Education (Student Loans) Amendment (Scotland) Regulations 2004

Made - - - -	*26th May 2004*
Laid before the Scottish Parliament - - - -	*2nd June 2004*
Coming into force - -	*1st August 2004*

The Scottish Ministers, in exercise of the powers conferred by section 1(2)(b) and (7) of and paragraph 1(1) of Schedule 2 to the Education (Student Loans) Act 1990(**1**), and of all other powers enabling them in that behalf, hereby make the following Regulations:

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Education (Student Loans) Amendment (Scotland) Regulations 2004 and shall come into force on 1st August 2004.

(2) These Regulations shall extend to Scotland and, in so far as they extend beyond Scotland, they do so only as a matter of Scots Law(**2**).

Amendment of Regulations

2. In regulation 6(1) to (4) of the Education (Student Loans) Regulations 1998(**3**) for each of the figures in the first column below wherever it appears there shall be substituted the corresponding figure in the second column below:

(**1**) 1990 c. 6; paragraph 1(1) of Schedule 2 was amended by the Education (Student Loans) Act 1996 (c. 9), section 1(1) and the Schedule, and by the Education (Student Loans) Act 1998 (c. 1), sections 1 to 3; the entire Act was repealed on 13th August 1998 by the Teaching and Higher Education Act 1998 (c. 30), section 44(2) and Schedule 4, subject to saving and transitional provisions set out in the Teaching and Higher Education Act 1998 (Commencement No. 2 and Transitional Provisions) Order 1998 (S.I.1998/2004). The saving provisions include provision for making subordinate legislation after the date of the repeal. The Secretary of State's functions under the Education (Student Loans) Act 1990 were transferred, in or as regards Scotland, to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46), read with article 3 of and paragraph 11 of Schedule 1 to the Scotland Act 1998 (Functions Exercisable in or as Regards Scotland) Order 1999 (S.I. 1999/1748).

(**2**) These Regulations extend beyond Scotland because the functions of the Scottish Ministers are exercisable with regard to certain students who are outside Scotland, by virtue of S.I. 1999/1748.

(**3**) S.I. 1998/211, as amended by S.I. 1998/1678, 1998/2005 and 1999/1748 and S.S.I. 2000/240, 2001/210, 2002/282 and 2003/285. The figures appearing in regulation 6(1) to (4) were inserted by S.S.I. 2003/285.