STATUTORY INSTRUMENTS

2017 No. 594

EDUCATION, ENGLAND

The Education (Postgraduate Master's Degree Loans) (Amendment) Regulations 2017

Made - - - -	*25th April 2017*
Laid before Parliament	*27th April 2017*
Coming into force in accordance with regulation 1	

The Secretary of State for Education makes the following Regulations in exercise of the powers conferred by sections 22 and 42(6) of the Teaching and Higher Education Act 1998(**1**):

Citation, commencement, application and interpretation

1.—(1) These Regulations may be cited as the Education (Postgraduate Master's Degree Loans) (Amendment) Regulations 2017 and come into force on 12th June 2017.

(2) In these Regulations, "the 2016 Regulations" means the Education (Postgraduate Master's Degree Loans) Regulations 2016(**2**).

(3) The amendments made by the following provisions apply only in relation to the provision of support to students in respect of an academic year which begins on or after 1st August 2017, whether anything done under the 2016 Regulations is done before, on or after 1st August 2017—

(a) regulation 2(2)(c) and (d); and

(b) regulation 2(2)(e) insofar as it relates to a person described in regulation 3(3)(k) of the 2016 Regulations (recipient of a postgraduate loan other than under the 2016 Regulations from a government authority within the United Kingdom).

(4) The substitutions made by regulation 2(3) and (4) apply only in respect of a course begun on or after 1st August 2017.

Amendment of the 2016 Regulations

2.—(1) The 2016 Regulations are amended as follows.

(**1**) 1998 c.30. Section 22 was amended by section 146 of, and Schedule 11 to, the Learning and Skills Act 2000 (c.21), Schedule 6 to the Income Tax (Earnings and Pensions) Act 2003 (c.1), section 147 of the Finance Act 2003 (c.14), section 42 and section 43 of, and Schedule 7 to, the Higher Education Act 2004 (c.8) and section 257(1) and (2) of the Apprentices, Skills, Children and Learning Act 2009 (c.22). See section 43(1) of the 1998 Act for the definition of "prescribed" and "regulations".

(**2**) S.I. 2016/606; amendments were made by S.I. 2016/668, none of which are relevant to these Regulations.

(2) In regulation 3 (eligible students)—

(a) at the end of paragraph (3)(i), omit "or";

(b) in paragraph (3)(j)(iii), after "disability", insert ", save to the extent that A is eligible only for such an allowance, bursary or award in respect of travel expenses; or";

(c) after paragraph (3)(j) insert—

"(k) subject to paragraph (7), A has previously received a loan other than under these Regulations in respect of a course, where that loan was paid out of funds provided by a government authority within the United Kingdom.";

(d) after paragraph (5) insert—

"(5A) Paragraphs (4) and (5) do not apply to a person who is treated as ordinarily resident in the United Kingdom by virtue of paragraph 1(5) of Schedule 1 on the basis of temporary employment falling within paragraph 1(6)(a) of Schedule 1.";

(e) for paragraph (7), substitute—

"(7) The Secretary of State may deem a person described in paragraph (3)(i) or (3)(k) to be an eligible student where the Secretary of State is of the view that the person had not been able to complete the course to which the previous loan related due to compelling personal reasons.".

(3) For regulation 10 (time limits) substitute—

"**10.**—(1) The rule in this paragraph is that the application must reach the Secretary of State no later than the end of the ninth month of the academic year in respect of which it is submitted.

(2) Where the applicant is applying to amend the amount of the postgraduate master's degree loan under regulation 12(3), the rule in this paragraph is that the application must reach the Secretary of State no later than the end of the ninth month of the academic year in respect of which it is submitted.

(3) The rule described in either paragraph (1) or (2) does not apply where the Secretary of State considers that having regard to the circumstances of the particular case the time limit is to be relaxed, in which case the application must reach the Secretary of State no later than such date as the Secretary of State specifies.".

(4) In regulation 12 (amount of the postgraduate master's degree loan)—

(a) in both places where it occurs for "£10,000", substitute "£10,280";

(b) for "regulation 10(3)" in paragraph (3)(b), substitute "regulation 10(2)" .

(5) In regulation 15(2), for "lace" substitute "lack".

(6) In regulation 15(4), for "under paragraph (2)", substitute "under paragraph (3)".

(7) In Schedule 1 (Eligible Students)—

(a) for paragraph 2, substitute—

"**2.**—(1) A person—

(a) who on the first day of the first academic year of the course—

(i) is settled in the United Kingdom other than by reason of having acquired the right of permanent residence;

(ii) is ordinarily resident in England; and