
SCOTTISH STATUTORY INSTRUMENTS

2008 No. 206

**The Education (Means Testing)
(Scotland) Amendment Regulations 2008**

Citation and commencement

1. These Regulations may be cited as the Education (Means Testing) (Scotland) Amendment Regulations 2008 and come into force on 1st August 2008.

Amendment of the Students' Allowances (Scotland) Regulations 2007

2. The Students' Allowances (Scotland) Regulations 2007(1) are amended in accordance with regulations 3 and 4.

3. In regulation 2(1) (interpretation) after the definition of “parent” insert—
- ““partner” for the purposes of regulation 4 means in relation to the holder or the holder’s parent—
- (a) the spouse of that person;
 - (b) the civil partner of that person; or
 - (c) a person ordinarily living with that person as if he or she were the spouse or civil partner of that person;”.

4.—(1) Regulation 4 (amount of allowances) is amended as follows.

(2) For paragraph (3) substitute—

“(3) In determining the amount of an allowance, the Scottish Ministers shall take account of the sums, if any, which, in accordance with principles determined by them from time to time, the holder, the holder’s partner, the holder’s parents and the holder’s parents’ partners can reasonably be expected to contribute towards the holder’s expenses.”.

(3) For paragraph (4)(b) substitute—

“(b) all the circumstances of the holder, the holder’s partner, the holder’s parents and the holder’s parents’ partners; or”.

Amendment of the Nursing and Midwifery Student Allowances (Scotland) Regulations 2007

5. The Nursing and Midwifery Student Allowances (Scotland) Regulations 2007(2) are amended in accordance with regulations 6 and 7.

6. In regulation 2 (interpretation) after the definition of “parent” insert—
- ““partner” for the purposes of regulation 4 means in relation to the holder—
- (a) the spouse of the holder;
 - (b) the civil partner of the holder; or

- (c) a person ordinarily living with the holder as if he or she were the spouse or civil partner of the holder;”.

7.—(1) Regulation 4 (amount of allowances) is amended as follows.

(2) For paragraph (3)(b) substitute—

- “(b) the holder’s partner can reasonably be expected to contribute to the holder’s expenses.”.

(3) For paragraph (4)(b) substitute—

- “(b) all the circumstances of the holder, the holder’s partner and persons dependent on the holder; or”.

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

8. The Education (Student Loans) (Scotland) Regulations 2007(3) are amended in accordance with regulations 9 and 10.

9. In regulation 2(1) (interpretation) after the definition of “parent” insert—

““partner” for the purposes of regulation 11 means in relation to the eligible student or the eligible student’s parent—

- (a) the spouse of that person;
- (b) the civil partner of that person; or
- (c) a person ordinarily living with that person as if he or she were the spouse or civil partner of that person;”.

10. In regulation 11(1) (means test) for “and the eligible student’s spouse or civil partner” substitute “, the eligible student’s parents' partners and the eligible student’s partner”.

St Andrew’s House,
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29th May 2008

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