
SCOTTISH STATUTORY INSTRUMENTS

2022 No. 157

The Student Support (Scotland) Regulations 2022

PART 3

Paramedic science, nursing and midwifery student allowances

Persons eligible for allowance

7.—(1) The Scottish Ministers may pay an allowance in accordance with this Part to, or in respect of any person undertaking—

- (a) a course of pre-registration nursing and midwifery education leading to registration with the Nursing and Midwifery Council⁽¹⁾, or
- (b) an undergraduate degree programme in pre-registration paramedic science education leading to eligibility to apply for registration as a paramedic with the Health and Care Professions Council⁽²⁾,

who is a person described in one or more paragraphs of schedule 1.

(2) In paying an allowance, the Scottish Ministers may determine to—

- (a) pay different allowances for different purposes, and
- (b) impose different terms and conditions in relation to different allowances.

(3) Schedule 3 is to have effect for the purposes of determining whether a person is to be treated, for the purposes of schedule 1 as being, or having been, ordinarily resident in a place at, or for, a particular time.

Amount of allowances

8.—(1) The amount of an allowance will be determined by the Scottish Ministers and may include sums in respect of—

- (a) tuition and other fees payable in respect of the holder of the allowance,
- (b) travelling expenses necessarily incurred, or to be incurred, by the holder in undertaking the course of education in respect of which the allowance is awarded,
- (c) the maintenance of the holder and of any persons dependent on them during periods of full time study and during vacations, and
- (d) other expenses incurred, or to be incurred, by the holder in taking advantage of educational facilities.

(2) An allowance payable to, or in respect of, a person who is eligible for an allowance only by virtue of Part 2 of schedule 1 may include sums only in respect of tuition and other fees payable in respect of that person.

(1) The Nursing and Midwifery Council, a body corporate, was established by Article 3 of the Nursing and Midwifery Order (2001) (S.I. 2002/253).

(2) The Health and Care Professionals Council, a regulatory body, was established by Article 3 of the Health Professions Order 2001 (S.I. 2002/254).

- (3) In determining the amount of an allowance, the Scottish Ministers may take account of the sums, if any, which in accordance with principles determined by them from time to time—
- (a) persons dependent on the holder can reasonably be expected to contribute towards their own maintenance, and
 - (b) the holder's partner can reasonably be expected to contribute to the holder's expenses.
- (4) The amount of an allowance may be revised at any time if the Scottish Ministers think fit having regard to—
- (a) the failure of the holder to comply with the requirements of the allowance,
 - (b) all the circumstances of the holder, the holder's partner and persons dependent on the holder, or
 - (c) any error made in determining the amount of, or entitlement to, the allowance.

Conditions and requirements of allowances

- 9.—(1) Payment of every allowance for each academic year is conditional on the following—
- (a) receipt of an application in such form as the Scottish Ministers may require by such date as they may determine in respect of that year, and different dates may be determined by them in respect of different courses,
 - (b) that application must include an undertaking by the applicant to repay to the Scottish Ministers any amount of which the Scottish Ministers requests repayment following a revisal in terms of regulation 8(4) (amount of allowances), and
 - (c) that application must include acceptance by of the applicant that any sum in respect of which the holder has given an undertaking in terms of paragraph (1)(b) and which falls to be repaid following a revisal in terms of regulation 8(4) may be recovered by the Scottish Ministers in one or more of the ways specified in paragraph (2).
- (2) The Scottish Ministers may recover any sum in respect of which the holder has given an undertaking in terms of paragraph (1)(b) and which falls to be repaid following a revisal in terms of regulation 8(4) in one or more of the following ways as the Scottish Ministers consider appropriate in all the circumstances—
- (a) by subtracting the amount of which the Scottish Ministers request repayment following revisal in terms of regulation 8(4) from the amount of any other allowance payable under these Regulations for which the student is eligible in respect of any other academic year,
 - (b) by taking such other action for the recovery of the amount of which the Scottish Ministers request repayment following revisal in terms of regulation 8(4) as is available to them.
- (3) The Scottish Ministers may treat an application received after any date determined for the purposes of paragraph (1)(a) as having been received by that date where they consider that, having regard to the circumstances of the particular case, it should be so treated.
- (4) Every allowance is to be held subject to the following requirements—
- (a) the holder must comply with the requirements of the course of education in respect of which the allowance is awarded,
 - (b) the Scottish Ministers must be satisfied as to the conduct and progress of the holder,
 - (c) the holder must provide the Scottish Ministers with such information and such documents as they may from time to time require to enable them to exercise their functions under this Part, and
 - (d) the holder must repay to the Scottish Ministers any sum in respect of which the holder has given an undertaking in terms of paragraph (1)(b) and which falls to be repaid following a revisal in terms of regulation 8(4).

Method of payment

10.—(1) The allowance may be paid to the holder or to another person for their benefit, or in part to the holder and in part to such other person, and any sum in respect of fees payable to an educational institution which is included in the amount of the allowance may be paid on behalf of the holder to the institution.

(2) The allowance may be paid in a single payment or by instalments as the Scottish Ministers think fit, but no payment is to be made before the holder has been accepted for admission to the course of education for which the allowance is awarded.

(3) Payments may be made in such manner as the Scottish Ministers consider appropriate, and they may make it a condition of entitlement to payment that the person eligible for support must provide them with particulars of a bank or building society account in the United Kingdom into which payments may be made by electronic transfer.