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SCOTTISH STATUTORY INSTRUMENTS

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**2022 No. 157**

**The Student Support (Scotland) Regulations 2022**

**PART 6**

**Education maintenance allowances**

**Conditions of education maintenance allowance**

**31.**—(1) Every education maintenance allowance is to be held subject to the following conditions—

- (a) the holder of the educational maintenance allowance must attend in accordance with any requirements specified by the educational establishment for the course of education in respect of which the education maintenance allowance is awarded,
- (b) the Scottish Ministers must be satisfied as to the conduct and progress of that holder, and
- (c) that holder must provide the Scottish Ministers with such information and such documents as they may require to enable them to exercise their functions under this Part.

(2) If the conditions specified in paragraph (1) are not complied with or if the holder receives from any other source any sum which, in the opinion of the Scottish Ministers, makes it unnecessary for the holder to be assisted by means of an education maintenance allowance, the Scottish Ministers may suspend payment of the education maintenance allowance or terminate the education maintenance allowance.

(3) It is to be a condition of payment of an education maintenance allowance that the applicant gives a written undertaking to pay to the Scottish Ministers any amount of which they may request repayment in the circumstances specified in paragraph (4).

(4) Where the Scottish Ministers are satisfied that there has been an overpayment of education maintenance allowance for any reason and request repayment of the overpayment or any part of that as they think fit, the holder of the education maintenance allowance is obliged to pay to the Scottish Ministers the amount requested.

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**Commencement Information**

**II** [Reg. 31](#) in force at 1.8.2022, see [reg. 1](#)

**Changes to legislation:**

The Student Support (Scotland) Regulations 2022, Section 31 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 1 para. 13B inserted by [S.S.I. 2024/140 reg. 3\(13\)](#)
- Sch. 1 para. 17A inserted by [S.S.I. 2024/140 reg. 3\(18\)](#)
- Sch. 4 para. 7A-7C inserted by [S.S.I. 2024/140 reg. 3\(22\)](#)
- reg. 11(2)(d)(vi) and word inserted by [S.S.I. 2024/140 reg. 3\(3\)\(b\)](#)