

2000 No. 1804

EDUCATION, ENGLAND AND WALES

The Education (Student Loans) (Amendment) (England and Wales) Regulations 2000

<i>Made</i> - - - -	<i>7th July 2000</i>
<i>Laid before Parliament</i>	<i>11th July 2000</i>
<i>Coming into force</i>	<i>1st August 2000</i>

In exercise of the power conferred by section 1(2)(b) and (7) of and paragraph 1(1) of Schedule 2 to the Education (Student Loans) Act 1990(a), the Secretary of State for Education and Employment hereby makes the following Regulations:

Citation, commencement and application

- 1.—(1) These Regulations may be cited as the Education (Student Loans) (Amendment) (England and Wales) Regulations 2000 and shall come into force on 1st August 2000.
- (2) These Regulations extend only to England and Wales(b).

Amendment of Regulations

2. The Education (Student Loans) Regulations 1998(c) shall be amended as follows.
3. In regulation 3(1) there shall be inserted in the appropriate place the following definition—

“metropolitan police district” means the areas referred to in section 76(1) of the London Government Act 1963(d) as it had effect prior to its amendment by section 323 of the Greater London Authority Act 1999(e);”.

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- (a) 1990 c. 6, amended by the Education (Student Loans) Act 1996 (c. 9), section 1(1) and the Schedule; by the Education Act 1996 (c. 56), Schedule 37, paragraph 98 and Schedule 38, 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 The entire Act was repealed on 13th August 1998 by the Teaching and Higher Education Act 1998 (c. 30), Schedule 4, subject to saving and transitional provisions set out in the Teaching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) (C. 46). The saving provisions include provision for making subordinate legislation after the date of the repeal.
- (b) 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, 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).
- (c) S.I. 1998/211, amended by the Education (Student Loans) (Amendment) Regulations 1998 (S.I. 1998/1676), the Education (Student Loans) (Amendment No. 2) Regulations 1998 (S.I. 1998/2005) and the Education (Student Loans) (Amendment) Regulations 1999 (S.I. 1999/1784).
- (d) 1963 c. 33; section 76 was amended by the Local Authorities etc. (Miscellaneous Provisions) Order 1974 (S.I. 1974/482), article 11.
- (e) 1999 c. 29.

4. At the end of regulation 3(4) there shall be added the following sentence—

“Without prejudice to the foregoing, members of the regular naval, military or air forces of the Crown shall be treated as being temporarily employed within the meaning of this paragraph for any period during which they serve outside the United Kingdom and Islands as members of such forces.”.

5. In regulation 6(1) to (4)(a) 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:

£ 995	£1,020
1,605	1,645
1,360	1,395
2,200	2,255
1,295	1,330
1,780	1,825

6. In Schedule 1 for paragraph 3(a) there shall be substituted:

- “(a) (i) has been informed by a person acting under the authority of the Secretary of State for the Home Department that, although he is considered not to qualify for recognition as a refugee, it is thought right to allow him to enter or remain in the United Kingdom, or
- (ii) before 1st July 1993 applied to the Secretary of State for the Home Department for recognition as a refugee and who has been informed by a person acting under the authority of the Secretary of State for the Home Department that it is thought right to allow him to enter or remain in the United Kingdom.”.

7th July 2000

Tessa Blackstone
Minister of State,
Department for Education and Employment

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which come into force on 1st August 2000, amend the Education (Student Loans) Regulations 1998 (“the principal Regulations”). The principal Regulations govern loans made under the Education (Student Loans) Act 1990, which are mortgage style repayment loans. Such loans are for the most part made to students who began their courses before 1st August 1998. Loans under the Teaching and Higher Education Act 1998, repayable through the tax system, are made to students beginning their courses after 1st August 1998.

The definition of “metropolitan police district” is amended so as to refer to the boundaries as they were prior to their amendment by the Greater London Authority Act 1999 (*regulation 3*).

Regulation 3(4) is amended so as to provide expressly that members of the regular armed forces are treated as falling within the temporary employment abroad exemption from the residence conditions in paragraph 7 of Schedule 1 to the principal Regulations (*regulation 4*).

These amending regulations also increase the maximum amounts which may be lent in relation to an academic year in line with inflation (*regulation 5*).

Paragraph 3 of Schedule 1 has been amended to reflect new Home Office procedures in relation to refugees (*regulation 6*).

STATUTORY INSTRUMENTS

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**The Education (Student Loans) (Amendment) (England and
Wales) Regulations 2000**

£1.50

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under the authority and superintendence of Carol Tullo,
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E 1391 07/00 ON (MFK)