
STATUTORY INSTRUMENTS

2012 No. 1309

**The Education (Student Loans) (Repayment)
(Amendment) (No. 2) Regulations 2012**

Amendment of the Education (Student Loans) (Repayment) Regulations 2009

5. In regulation 15—

(a) in paragraph (2), before “A borrower is not required” insert “Subject to paragraphs (2A), (2B) and (2C),”; and

(b) after paragraph (2) insert—

“(2A) Subject to paragraph (2C), where a borrower takes out a post-2012 student loan in relation to a part-time course, the borrower is not required to repay any part of that post-2012 student loan until the earlier of—

(a) the start of the following tax year commencing on 6 April after the borrower ceases to be eligible for financial support under Regulations made pursuant to section 22 of the 1998 Act whether by reason of having completed that course or otherwise; or

(b) the start of the following tax year commencing on 6 April after the fourth anniversary of the course start date.

(2B) Subject to paragraph (2C), a borrower who takes out a post-2012 student loan and who changes their mode of study between full-time and part-time study is required to repay—

(a) where there is a change from a full-time course to a part-time course, in accordance with paragraph (2A);

(b) where there is a change from a part-time course to a full-time course before the requirement to repay under paragraph (2A) applies, in accordance with paragraph (2);

(c) where there is a change from a part-time course to a full-time course and the requirement to repay under paragraph (2A) applies, in accordance with paragraph (2A).

(2C) A borrower with a post-2012 student loan is not required to repay any part of the post-2012 student loan under paragraphs (2), (2A) and (2B) before 6 April 2016.

(2D) For the purposes of paragraphs (2), (2A) and (2B), an original course and a top-up course are treated as one course where—

(a) “original course” means a course which, disregarding any intervening vacation, a student attended immediately before a top-up course; and

(b) “top-up course” means—

(i) a full-time honours degree course beginning after 1 September 2012 which, disregarding any intervening vacation, a student begins immediately after ceasing to attend a full-time course mentioned in paragraph 2, 3 or 4 of Schedule 2 to the 2011 Support Regulations or a

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

full-time foundation or ordinary degree course, which started on or after 1 September 2012, having achieved a qualification; or

- (ii) a part-time honours degree course beginning after 1 September 2012 which, disregarding any intervening vacation, a student begins immediately after ceasing to attend or undertake a part-time higher education course mentioned in paragraph 2, 3 or 4 of Schedule 2 to the 2011 Support Regulations or a part-time foundation or ordinary degree course, which started on or after 1 September 2012, having achieved a qualification.”.