STATUTORY INSTRUMENTS

2008 No. 1479

EDUCATION, ENGLAND AND WALES

The Education (Student Loans) (Amendment) (England and Wales) Regulations 2008

Made - - - -	*9th June 2008*
Laid before Parliament	*16th June 2008*
Coming into force - -	*1st August 2008*

The Secretary of State for Innovation, Universities and Skills makes the following Regulations in exercise of the powers in section 1(1), (2) and (7) of and paragraph 1(1) of Schedule 1 to the Education (Student Loans) Act 1990(**a**):

Citation, commencement, application and interpretation

1. These Regulations may be cited as the Education (Student Loans) (Amendment) (England and Wales) Regulations 2008 and come into force on 1st August 2008.

2. These Regulations do not apply in or as regards Scotland(**b**).

3. In these Regulations "the Principal Regulations" means the Education (Student Loans) Regulations 1998(**c**).

Revocation

4. Regulation 9 of the Education (Student Loans) (Amendment) (England and Wales) Regulations 2007(**d**) is revoked.

Amendment of the Principal Regulations

5. The Principal Regulations are amended in accordance with these Regulations.

6.—(1) Regulation 3 is amended as follows.

(2) For the definition of "2005 loan" substitute—

(**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 The entire Act was repealed on 13th August 1998 by the Teaching and Higher Education Act 1998 (c.30), section 44(2) and Schedule 4, subject to transitional and savings provisions in the Teaching and Higher Education Act 1998 (Commencement No. 2 and Transitional Provisions) Order 1998 (S.I. 1998/2004). The saving provisions include provision for making subordinate legislation after the date of 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 (c.46), read with article 3 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, as amended, in relation to England and Wales, by S.I. 1998/1676, S.I. 2000/1804, S.I. 2001/1627, S.I. 2002/1329, S.I. 2005/1718, S.I. 2005/2119, S.I. 2006/929 and S.I. 2007/1630.

(**d**) S.I. 2007/1630.

""2005 loan" means a loan the maximum amount of which is the maximum amount that would have been payable under these Regulations had they not been amended by the Education (Student Loans) (Amendment) (England and Wales) Regulations 2006, the Education (Student Loans) (Amendment) (England and Wales) Regulations 2007 and the Education (Student Loans) (Amendment) (England and Wales) Regulations 2008;".

(3) For the definition of "2006 loan" substitute—

""2006 loan" means a loan the maximum amount of which is the maximum amount that would have been payable under these Regulations had they not been amended by the Education (Student Loans) (Amendment) (England and Wales) Regulations 2007 and the Education (Student Loans) (Amendment) (England and Wales) Regulations 2008;".

(4) For the definition of "old loan" substitute—

""old loan" means a loan the maximum amount of which is the maximum amount that would have been payable under these Regulations had they not been amended by the Education (Student Loans) (Amendment) (England and Wales) Regulations 2005, the Education (Student Loans) (Amendment) (England and Wales) Regulations 2006, the Education (Student Loans) (Amendment) (England and Wales) Regulations 2007 and the Education (Student Loans) (Amendment) (England and Wales) Regulations 2008;".

7.—(1) Regulation 6 is amended as follows.

(2) In paragraphs (1) to (4), for each of the figures in the first column, wherever it appears, substitute the corresponding figure in the second column below—

First column (£)	*Second column (£)*
1,215	1,245
1,940	1,990
1,655	1,695
2,665	2,730
1,575	1,615
2,155	2,210

Bill Rammell
Minister of State
Department for Innovation, Universities and Skills

9th June 2008

EXPLANATORY NOTE

(This note is not part of the Order)

These Regulations amend the Education (Student Loans) Regulations 1998 ("the 1998 Regulations"). The 1998 Regulations, made under the Education (Student Loans) Act 1990, govern mortgage style loans. These loans are, for the most part, only available to students who started their courses before 1st August 1998.

These Regulations do not apply in or as regards Scotland.

Regulation 6 amends certain definitions in the 1998 Regulations.

Regulation 7 increases in line with inflation the maximum amounts that may be lent to students in relation to an academic year commencing on or after 1st August 2008.

These Regulations also revoke Regulation 9 of the Education (Student Loans) (Amendment) (England and Wales) Regulations 2007.

An impact assessment has not been produced for this instrument as it has no impact on business, charities or voluntary bodies. The impact on the public sector is minimal.

£3.00

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