
STATUTORY INSTRUMENTS

2022 No. 1335

**The Education (Student Loans) (Repayment)
(Amendment) (No. 4) Regulations 2022**

PART 2

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

Amendment of Part 1 (general)

Amendments to regulation 3 (interpretation)

5.—(1) In regulation 3(1)—

- (a) after the definition of “the 2008 Act” (which is omitted by sub-paragraph (q)) insert—
 - ““the 2000 (Scotland) Regulations” means the Repayment of Student Loans (Scotland) Regulations 2000(1);”;
- (b) for the definition of “the Authority” substitute—
 - ““the Authority” means—
 - (a) in relation to a plan 1, 2 or 3 loan and subject to regulation 7—
 - (i) the Welsh Ministers in the case of a loan made or deemed made by them,
or
 - (ii) the Secretary of State in any other case;
 - (b) in relation to a plan 4 loan—
 - (i) the Scottish Ministers, or
 - (ii) a person exercising functions in accordance with arrangements made under section 73A(3) of the Education (Scotland) Act 1980;
 - (c) in relation to a plan 5 loan and subject to regulation 7, the Secretary of State;”;
- (c) for the definition of “borrower” substitute—
 - ““borrower” means a person—
 - (a) in respect of whom a student loan has been paid, and
 - (b) who has not received a notice from the Authority or the loan purchaser (as the case may be) that the loan has been repaid in full or cancelled;”;
- (d) after the definition of “borrower” insert—
 - ““country” includes territory;
 - “country-specific multiplier” means the country-specific multiplier calculated in accordance with regulation 8A;”;

- (e) after the definition of “eligible borrower” (which is omitted by sub-paragraph (q)) insert—
- ““eligible course” means any of the following—
- (a) a course for the Certificate of Higher Education;
 - (b) a course for the Diploma of Higher Education;
 - (c) a course for the Higher National Certificate or Higher National Diploma of—
 - (i) the Business and Technician Education Council, or
 - (ii) the Scottish Qualifications Authority;
 - (d) a foundation degree course;
 - (e) an ordinary degree course;”;
- (f) in the definition of “loan purchaser”, for “one or more student loans or postgraduate degree loans made pursuant to Regulations made under section 22 of the 1998 Act” substitute “a plan 1 loan”;
- (g) after the definition of “part-time” (which is omitted by sub-paragraph (q)) insert—
- ““plan 1 loan” has the meaning given in regulation 3A;
- “plan 2 loan” has the meaning given in regulation 3B;
- “plan 3 loan” has the meaning given in regulation 3C;
- “plan 4 loan” has the meaning given in regulation 3D;
- “plan 5 loan” has the meaning given in regulation 3E;”;
- (h) after the definition of “postgraduate degree loan borrower” (which is omitted by sub-paragraph (q)) insert—
- ““principal” has the meaning given in regulation 4(3);”;
- (i) for the definition of “repayment” substitute—
- ““repayment” has the meaning given in regulation 4(2);”;
- (j) for the definition of “repayment threshold” substitute—
- ““repayment threshold” means the repayment threshold set out in, or calculated in accordance with, Schedule 1A;”;
- (k) after the definition of “repayment threshold” insert—
- ““repayment threshold variable” means the repayment threshold variable calculated in accordance with regulation 8B;”;
- (l) after the definition of “repayment threshold year” insert—
- ““residence” has the same meaning as in the Taxes Acts (whether in relation to the United Kingdom or any other country);
- “retail price index” means the RPI All Items Index published by the Office for National Statistics(2);”;
- (m) after the definition of “Secretary of State” insert—
- ““standard interest rate” means, in relation to a loan, the greater of—
- (a) zero, or
 - (b) the percentage increase in the retail price index between the two Marches immediately before the commencement of the academic year in which the loan bears interest(3);”;

(2) The RPI All Items Index is published at <https://www.ons.gov.uk/economy/inflationandpriceindices/timeseries/chaw/>.

(3) The percentage increase is published at <https://www.ons.gov.uk/economy/inflationandpriceindices/timeseries/czbh/>.

- (n) for the definition of “student loan” substitute—
- ““student loan” means any of the following—
- (a) a plan 1 loan;
 - (b) a plan 2 loan;
 - (c) a plan 3 loan;
 - (d) a plan 4 loan;
 - (e) a plan 5 loan;”;
- (o) after the definition of “Teachers’ Regulations” (which is omitted by sub-paragraph (q)) insert—
- ““transfer arrangements” means—
- (a) transfer arrangements made under section 1(1) or 9(1) of the Sale of Student Loans Act 2008, and
 - (b) further transfer arrangements made under section 3(1) of that Act (if any);”;
- (p) for the definition of “transferred loan” substitute—
- ““transferred loan” means a plan 1 loan in respect of which transfer arrangements are made;”;
- (q) omit the definitions of the following expressions—
- “the 1988 Act”;
 - “the 2005 Act”;
 - “the 2007 Act”
 - “the 2008 Act”;
 - “the 2011 Welsh Regulations”;
 - “the 2016 Master’s Degree Regulations”;
 - “the 2017 Master’s Degree Wales Regulations”;
 - “the 2018 Doctoral Degree Regulations”;
 - “the 2018 Doctoral Degree Wales Regulations”;
 - “Access to HE Diploma”;
 - “designated course”;
 - “eligible borrower”;
 - “eligible employment”;
 - “eligible teacher”;
 - “overseas provisions”;
 - “part-time”;
 - “post-2012 student loan”;
 - “postgraduate degree loan”;
 - “postgraduate degree loan borrower”;
 - “relevant percentage difference in average earnings”;
 - “Scottish student loan”;
 - “student loan borrower”;
 - “tax year 2009–10”;

Changes to legislation: There are currently no known outstanding effects for the The Education (Student Loans) (Repayment) (Amendment) (No. 4) Regulations 2022, Section 5. (See end of Document for details)

“Teachers’ Regulations”.

(2) Omit regulation 3(2).

Commencement Information

II [Reg. 5](#) in force at 6.4.2023, see [reg. 2\(2\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Education (Student Loans) (Repayment) (Amendment) (No. 4) Regulations 2022, Section 5.