

ACCOMPANYING DOCUMENTS

Explanatory Notes, together with other accompanying documents, are printed separately as SP Bill 2-EN. A Policy Memorandum is printed separately as SP Bill 2-PM.

Graduate Endowment Abolition (Scotland) Bill

[AS INTRODUCED]

An Act of the Scottish Parliament to abolish the graduate endowment; and for connected purposes.

1 Abolition of the graduate endowment

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- (1) Sections 1 and 2 of the 2001 Act are repealed (and consequently the principal regulations are revoked).
 - (2) In schedule 3 to the Further and Higher Education (Scotland) Act 2005 (asp 6), paragraph 10 is repealed.

2 Extinguishing of liabilities

- 10
- (1) This section applies to graduate endowment liability in relation to which the due date is 1 April 2008 or after.
 - (2) Any such graduate endowment liability is extinguished.
 - (3) And any such graduate endowment liability (whether extinguished by this section or previously discharged) is to be regarded as having never existed.

3 Saving of prior liabilities

- 15
- (1) This section applies to graduate endowment liability in relation to which the due date is before 1 April 2008.
 - (2) To the extent required for the purposes of or in connection with any such graduate endowment liability—
 - (a) section 1 of the 2001 Act, and
 - (b) the principal regulations,
- 20

continue to have the effect that they had immediately before the coming into force of this Act (despite the repeals made by section 1).

4 Definitions

(1) In this Act, “graduate endowment liability” is liability, existing by virtue of section 1 of the 2001 Act and the principal regulations, of a person to—

(a) pay to the Scottish Ministers the amount of the graduate endowment, or

(b) repay to the Scottish Ministers any loan (including interest) made by them under those provisions for the purposes of discharging the person’s liability to pay the graduate endowment.

(2) In this Act—

the “2001 Act” is the Education (Graduate Endowment and Student Support) (Scotland) Act 2001 (asp 6),

the “principal regulations” are the Graduate Endowment (Scotland) Regulations 2007 (S.S.I. 2007/155),

“the graduate endowment” is to be construed in accordance with the 2001 Act,

“due date” is to be construed in accordance with the principal regulations.

5 Commencement and short title

(1) This Act comes into force on the day after Royal Assent.

(2) The short title of this Act is the Graduate Endowment Abolition (Scotland) Act 2007.

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Introduced by: Fiona Hyslop
On: 22 October 2007
Bill type: Executive Bill

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