

EXPLANATORY MEMORANDUM TO

EDUCATION (STUDENT SUPPORT) (No.2) REGULATIONS (NORTHERN IRELAND) 2009 (AMENDMENT) (No. 2) REGULATIONS (NORTHERN IRELAND) 2014

SR 2014 No. 97

1. Introduction

1.1 This Explanatory memorandum has been prepared by the Department for Employment and Learning (“the Department”) to accompany SR 2014 No. 97 which is laid before the Northern Ireland Assembly.

1.2 The statutory rule is made under Articles 3 and 8(4) of the Education (Student Support) (Northern Ireland) Order 1998 and is subject to the negative resolution procedure.

1.3 The rule will come into operation on 18 April 2014.

2. Purpose

This rule provides for support for students taking designated higher education courses in respect of the academic year beginning on or after 1 September 2014 and make amendments to the Education (Student Support) (No. 2) Regulations (Northern Ireland) 2009 (“the 2009 Regulations”). The effect of the rule is to ensure students entering the first year of a full-time degree course who have undertaken a preliminary course on a part-time basis are eligible to receive a fee loan provided that it is not a bursary year or and Erasmus year of a course provided at an institution in Northern Ireland or Scotland.

3. Background

Currently, under the Student Support Regulations previous study rules, Northern Ireland students who have gained a part-time level 4 or level 5 qualification who wish to enter the first year of a full-time degree course are excluded from eligibility of a fee loan. This rule has been amended to ensure that this category of student is now eligible to receive a fee loan.

4. Consultation

There is no statutory requirement to consult on these Regulations as they do not give effect to policy changes but facilitate policy implementation.

5. Equality Impact Assessment

A Section 75 Equality of Opportunity Screening exercise has been carried out and it is our view that the proposals will not have an adverse impact on any of the Section 75 categories.

6. Regulatory Impact Assessment

A Regulatory Impact Assessment has not been prepared for this rule as it has no adverse impact on business, charities or voluntary bodies.

7. Financial Implications

The financial implications of the student support amendment are set out in paragraphs 2 and 3.

8. Section 24 of the Northern Ireland Act 1998

TBC Departmental Solicitor's Office has confirmed that the making of this rule complies with Section 24 of the NI Act.

9. EU Implications

Not applicable.

10. Parity or Replicatory Measures

Similar measures are in place in Scotland and Wales but not in England.

11. Additional Information

Not applicable.

12. Contact

John Neill at the Department for Employment and Learning, Tel: 028 90 257712 or email: john.neill@delni.gov.uk can answer any queries regarding this Rule.