



# Education (Student Loans) Act 1990

## 1990 CHAPTER 6

### 1 Loans for students

- (1) The Secretary of State may make arrangements for enabling eligible students to receive loans towards their maintenance out of money made available by him for that purpose.
- (2) For the purposes of this section eligible students are those who—
  - (a) are attending courses of higher education which are of at least one academic year's duration and either are at institutions receiving support from public funds or (being at other institutions) are designated for the purposes of this section by or under regulations made by the Secretary of State; and
  - (b) satisfy such other conditions as may be prescribed by regulations made by him.
- (3) In this section “courses of higher education” means courses of any description mentioned in Schedule 1 to this Act and “institutions receiving support from public funds” means—
  - (a) universities and other institutions receiving grants under section 131 or 132 of the Education Reform Act 1988, institutions maintained by local education authorities in exercise of their further and higher education functions, institutions designated by or under regulations made under section 218 of that Act as institutions substantially dependent for their maintenance on assistance from local education authorities and institutions receiving recurrent grants towards their costs under regulations made under section 100(1)(b) of the Education Act 1944;
  - (b) colleges of further education (as defined in section 80(1) of the Self-Governing Schools etc. (Scotland) Act 1989 or which are managed by a company by virtue of section 65(1) of that Act) and grant-aided colleges within the meaning of section 77(5) of the Education (Scotland) Act 1980; and
  - (c) the Queen's University of Belfast, the University of Ulster, a college of education in Northern Ireland within the meaning of Article 2(2) of the Education and Libraries (Northern Ireland) Order 1986 and institutions providing in Northern Ireland further education as defined in Article 5(c) of that Order.

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*Status: This is the original version (as it was originally enacted).*

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- (4) The Secretary of State may by order amend Schedule 1 to this Act but before doing so shall consult any persons with whom consultation appears to him to be desirable.
- (5) Schedule 2 to this Act shall have effect in relation to arrangements made under this section.
- (6) The power to make orders under subsection (4) above shall be exercisable by statutory instrument and no such order shall be made unless a draft of it has been laid before and approved by a resolution of each House of Parliament.
- (7) The power to make regulations under this section or Schedule 2 to this Act shall be exercisable by statutory instrument which, subject to subsection (8) below and paragraph 1(2) of that Schedule, shall be subject to annulment in pursuance of a resolution of either House of Parliament and any such regulations may make different provision for different cases.
- (8) A draft of the first regulations to be made under this section or Schedule 2 to this Act shall be laid before each House of Parliament and those regulations shall not be made unless the draft has been approved by a resolution of each House.

## **2 Northern Ireland**

An Order in Council under paragraph 1(1)(b) of Schedule 1 to the Northern Ireland Act 1974 (legislation for Northern Ireland in the interim period) which contains a statement that it is made only for purposes corresponding to the purposes of this Act—

- (a) shall not be subject to paragraph 1(4) and (5) of that Schedule (affirmative resolution of both Houses of Parliament); but
- (b) shall be subject to annulment in pursuance of a resolution of either House of Parliament.

## **3 Financial provisions**

- (1) There shall be paid out of money provided by Parliament any sums required by the Secretary of State for making payments under this Act.
- (2) Any sums received by the Secretary of State by virtue of this Act shall be paid into the Consolidated Fund.

## **4 Short title, citation, interpretation and extent**

- (1) This Act may be cited as the Education (Student Loans) Act 1990.
- (2) This Act and the Education Acts 1944 to 1988 may be cited together as the Education Acts 1944 to 1990.
- (3) In this Act “university” includes a university college and any college, or institution in the nature of a college, in a university.
- (4) Except for section 2 and, as respects institutions in Northern Ireland, the power to make regulations under paragraph 2 of Schedule 2, this Act does not extend to Northern Ireland.