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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations provide for the making of loans to eligible students in connection with postgraduate doctoral degree courses that begin on or after 1st August 2018. These Regulations amend the Education (Student Loans) (Repayment) Regulations 2009 (S.I. 2009/470), the Education (Student Support) Regulations 2011 (S.I. 2011/1986) and the Education (Postgraduate Master's Degree Loans) Regulations 2016 (S.I. 2016/606).

Part 1 of these Regulations sets out the loan terms. Regulation 3 sets out who can be considered an eligible student for the purposes of a postgraduate doctoral degree loan. Regulation 4 sets out which courses are deemed designated courses for which an eligible student can receive a loan. Regulation 5 sets out when a student ceases to be considered an eligible student. Regulation 6 recognises that an eligible student may transfer to another course in certain circumstances. Regulations 7 and 8 set out the circumstances in which a student may qualify for a postgraduate doctoral degree loan after the designated course has started. Regulations 9 to 11 deal with the formalities of how an eligible student applies for a loan, including the application deadlines. Regulation 12 provides that the maximum loan amount an eligible student can receive is £25,000, other than in the case of an eligible prisoner where the maximum amount is £25,000 or, if less, the value of the fees of the designated course. Regulation 13 gives the Secretary of State the power to pay any loan in instalments. The Secretary of State can make payments of up to £10,609 in respect of an eligible student in connection with an academic year and may require the student to provide details of a bank account into which payments can be transferred. In the case of an eligible prisoner, the payment is made to the institution to which the prisoner is liable to make payment for the fees or to a third party. Regulation 14 gives the Secretary of State the power to make payment of the loan conditional upon the student providing the Secretary of State with a national insurance number. Regulation 15 places an obligation on the Secretary of State to cease further loan payments if the Secretary of State receives notice of a student's need to repeat a module or a similar unit of work or of a student's lack of attendance on the course. The Secretary of State may continue to make payments if the Secretary of State considers it would be appropriate. The Secretary of State must recommence payments if the student completes the module or similar unit of work, or if the student is no longer required to complete the module or similar unit of work. If the student recommences the full course, the Secretary of State may decide to recommence further payments. Regulation 16 sets out how loan entitlement amounts change when an eligible student becomes an eligible prisoner and vice versa. Regulation 17 sets out how the Secretary of State can recover any overpayments of a postgraduate doctoral degree loan. Regulation 18 deals with information requirements.

Part 2 of these Regulations amends the Education (Student Loans) (Repayment) Regulations 2009 to make provision for the repayment of postgraduate doctoral degree loans on the same basis as postgraduate master's degree loans.

Part 3 of these Regulations amends the Education (Student Support) Regulations 2011 to prevent dual funding, and to update references to the Research Councils following their absorption into United Kingdom Research and Innovation.

Part 4 of these Regulations amends the Education (Postgraduate Master's Degree Loans) Regulations 2016 to prevent dual funding, and to bring those Regulations in line with these Regulations.

An impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen.

**Changes to legislation:**

There are currently no known outstanding effects for the The Education (Postgraduate Doctoral Degree Loans and the Education (Student Loans) (Repayment) (Amendment) (No. 2) etc.) Regulations 2018.