STATUTORY RULES OF NORTHERN IRELAND

# 2019 No. 102

# EDUCATION

## The Student Fees (Amounts) and Education (Student Support (No. 2)) (Amendment) Regulations (Northern Ireland) 2019

*Made - - - - 10th May 2019*

*Coming into operation in accordance with regulation 1*

The Department for the Economy(**1**), in exercise of the powers conferred by Articles 3 and 8(4) of the Education (Student Support) (Northern Ireland) Order 1998(**2**)and Articles 4(8) and 14(4) of the Higher Education (Northern Ireland) Order 2005(**3**) makes the following Regulations.

In accordance with Article 4(11)(a)(i) and (b)(i) of the Higher Education (Northern Ireland) Order 2005 the Department is satisfied that the increases to the basic and higher amounts are no greater than are required to maintain the value of those amounts in real terms.

## PART 1

## GENERAL

### Citation and commencement

**1.**—(1) These Regulations may be cited as the Student Fees (Amounts) and Education (Student Support (No.2)) (Amendment) Regulations (Northern Ireland) 2019.

(2) Regulations 2 to 4 come into operation on 1st September 2020.

(3) Regulations 5 to 9 come into operation on 31st May 2019.

(**1**) Formerly the Department for Employment and Learning; *see* Article 6(1)(c) of the Departments (Transfer of Functions) Order (Northern Ireland) 2016 (S.R. 2016 No. 76)

(**2**) S.I. 1998/1760 (N.I. 14). Article 3 was amended by the Learning and Skills Act 2000 (c.21), section 147(3)(a) and (b), the Student Loans (Amendment) Act (Northern Ireland) 2001, (c.2 (N.I.)), s.1(1), the Income Tax (Earnings and Pensions) Act 2003 (c.1), Schedule 6, the Finance Act 2003, (c.14), s. 147(4), the Higher Education (Northern Ireland) Order 2005, (S.I. 2005/1116 (N.I. 5)), Articles 11 and 12 and the Schedule, and by the Financial Services and Markets Act 2000 (Regulated Activities) (Amendment) (No.2) Order 2013, (S.I. 2013/1881), Schedule 1.

(**3**) S.I. 2005/1116 (N.I. 5)

# PART 2

## AMENDMENT OF THE STUDENT FEES (AMOUNTS) REGULATIONS (NORTHERN IRELAND) 2005

**Amendment of Student Fees (Amounts) Regulations (Northern Ireland) 2005**

**2.** The Student Fees (Amounts) Regulations (Northern Ireland) 2005(**4**) shall be amended as provided by regulations 3 and 4.

**3.** In regulation 3 (Prescribed basic and higher amounts)—

(a) for "£1,690" substitute "£1,735"; and

(b) for "£4,275" substitute "£4,395".

**4.** In regulation 4 (Prescribed basic and higher amounts for specified courses)—

(a) for "£825" substitute "£845"; and

(b) for "£2,125" substitute "£2,185".

# PART 3

## AMENDMENT OF THE EDUCATION (STUDENT SUPPORT) (No.2) REGULATIONS (NORTHERN IRELAND) 2009

**Amendment of the Education (Student Support)(No. 2) Regulations (Northern Ireland) 2009**

**5.** The Education (Student Support) (No. 2) Regulations (Northern Ireland) 2009(**5**) shall be amended as provided by regulations 6 to 9.

**Amendment of regulation 6**

**6.** In regulation 6(**6**) (designated courses)—

(a) for paragraph (1)(e), substitute—

"(e) either—

(i) wholly provided by an authority-funded institution in Northern Ireland, Scotland or in Wales where the course began before 1st September 2017;

(ii) provided by an approved (fee cap) provider on behalf of an authority-funded institution in Northern Ireland or Scotland, or in Wales where the course began before 1st September 2017;

(iii) provided by a publicly-funded institution situated in Northern Ireland, Scotland or Wales on behalf of an approved (fee cap) provider in England, or on behalf of an authority-funded institution in Northern Ireland, Scotland, or in Wales where the course began before 1st September 2017;

(**4**) S.R. 2005 No. 290 as amended by S.R. 2006 No. 455, S.R. 2007 No. 442, S.R. 2008 No. 455, S.R. 2009 No. 400, S.R 2011 Nos. 1 and 369, S.R. 2012 No. 184, S.R. 2013 No. 120, S.R. 2014 No. 116, S.R. 2015 No. 243, S.R. 2016 No. 354, S.R. 2017 No. 104 and S.R. 2018 No. 105

(**5**) S.R. 2009 No. 373, amended by S.R. 2010 No. 383, S.R. 2012 Nos. 62 and 398, S.R. 2013 Nos. 128 and 223, S.R. 2014 Nos. 97 and 309, S.R. 2016 No. 21, S.R. 2017 Nos. 7 and 43, S.R. 2018 No. 35 and S.R. 2019 No. 35.

(**6**) Regulation 6 (1)(e) was amended by S.R. 2019 No.35

(iv) provided by an authority-funded institution in Northern Ireland or Scotland, or in Wales where the course began before 1st September 2017, in conjunction with an institution which is situated outside the United Kingdom;

(v) provided by a publicly-funded institution in Northern Ireland, Scotland or Wales on behalf of a regulated institution in Wales where the course began on or after 1st September 2017;

(vi) wholly provided by an approved (fee cap) provider, or provided by an approved (fee cap) provider on behalf of an approved (fee cap) provider in England;

(vii) provided by an approved (fee cap) provider on behalf of a regulated institution in Wales where the course began on or after 1st September 2017;

(viii) provided by an approved (fee cap) provider in England in conjunction with an institution which is situated outside the United Kingdom;

(ix) provided by a regulated institution in Wales or a regulated institution in Wales in conjunction with an institution which is situated outside the United Kingdom, where that course begins on or after 1st September 2017; or

(x) provided by a relevant institution of higher education in the Republic of Ireland or by a relevant institution of higher education in the Republic of Ireland in conjunction with an institution outside of the Republic of Ireland".

(b) in paragraph (6)(d), after "which is", insert "an approved provider or".

**Amendment of regulation 124**

**7.** In regulation 124(**7**) (designated part-time courses)—

(a) in paragraph (1), for sub-paragraph (d), substitute—

"(d) it is either—

(i) wholly provided by an authority-funded institution in Northern Ireland, Scotland or Wales;

(ii) provided by a publicly-funded institution situated in Northern Ireland, Scotland or Wales, on behalf of an approved (fee cap) provider in England, or on behalf of an authority-funded institution in Northern Ireland, Scotland or Wales;

(iii) wholly provided by an approved (fee cap) provider, or provided by an approved (fee cap) provider on behalf of an approved (fee cap) provider in England;

(iv) provided by an approved (fee cap) provider on behalf of an authority-funded institution in Northern Ireland, Scotland or Wales;

(v) provided by an approved (fee cap) provider in England in conjunction with an institution which is situated outside the United Kingdom; or

(**7**) Regulation 124(1)(d) was substituted by S.R. 2013 No. 223 and paragraph (5)(d) was inserted by S.R. 2013 No. 223 and subsequently amended by S.R. 2017 No. 7 and 2019 No.35.