STATUTORY INSTRUMENTS

1990 No. 1506 (N.I. 11)

NORTHERN IRELAND

The Education (Student Loans) (Northern Ireland) Order 1990

Made - - - -	*24th July 1990*
Laid before Parliament	*31st July 1990*
Coming into Operation	*1st August 1990*

At the Court at Buckingham Palace, the 24th day of July 1990

Present,

The Queen's Most Excellent Majesty in Council

Whereas this Order is made only for purposes corresponding to those of the Education (Student Loans) Act 1990(**1**):

Now, therefore, Her Majesty, in exercise of the powers conferred by paragraph 1 of Schedule 1 to the Northern Ireland Act 1974(**2**) (as modified by section 2 of that Act of 1990) and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

Title and commencement

1.—(1) This Order may be cited as the Education (Student Loans) (Northern Ireland) Order 1990.

(2) This Order and the Education (Northern Ireland) Orders 1986 and 1989 may be cited together as the Education (Northern Ireland) Orders 1986 to 1990.

(3) This Order shall come into operation on 1st August 1990.

Interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954(**3**) shall apply to Article 1 and the following provisions of this Order as it applies to a Measure of the Northern Ireland Assembly.

(2) In this Order—

"the Department" means the Department of Education;

(**1**) 1990 c. 6
(**2**) 1974 c. 28
(**3**) 1954 c. 33 (N.I.)

"university" includes a university college and any college, or institution in the nature of a college, in a university.

Loans for students

3.—(1) The Department may make arrangements for enabling eligible students to receive loans towards their maintenance out of money made available by it for that purpose.

(2) For the purposes of this Article 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 Article by or under regulations made by the Department; and

(b) satisfy such other conditions as may be prescribed by regulations made by the Department.

(3) In this Article "courses of higher education" means courses of any description mentioned in Schedule 1 and "institutions receiving support from public funds" means—

(a) 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(**4**) and institutions providing in Northern Ireland further education as defined in Article 100 of the Education Reform (Northern Ireland) Order 1989(**5**);

(b) universities and other institutions receiving grants under section 131 or 132 of the Education Reform Act 1988(**6**), institutions maintained by local education authorities in England or Wales 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(**7**);

(c) colleges of further education (as defined in section 80(1) of the Self-Governing Schools etc. (Scotland) Act 1989(**8**) 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(**9**).

(4) The Department may by order amend Schedule 1, but before doing so shall consult any persons with whom consultation appears to it to be desirable.

(5) Schedule 2 shall have effect in relation to arrangements made under this Article.

(6) Orders under paragraph (4) shall be subject to affirmative resolution.

(7) Regulations under this Article or Schedule 2 shall, subject to paragraph (8) and paragraph 1(2) of that Schedule, be subject to negative resolution.

(8) The first regulations to be made under this Article or Schedule 2 shall be subject to affirmative resolution.

(**4**) 1986 NI 3
(**5**) 1989 NI 20
(**6**) 1988 c. 40
(**7**) 1944 c. 31
(**8**) 1989 c. 39
(**9**) 1980 c. 44

G. I. de Deney
Clerk of the Privy Council