

SL(6)106 - The Education (Student Loans) (Repayment) (Amendment) (No. 4) Regulations 2021

Background and Purpose

These [Regulations](#) amend the Education (Student Loans) (Repayment) Regulations 2009 (“the 2009 Regulations”). The 2009 Regulations provide the basis for the repayment of student loans made by the Welsh Ministers and include provision for interest to be charged on student loans.

These Regulations amend the 2009 Regulations to set a maximum interest rate on student loans of 4.4% in respect of borrowers with Plan 2 or Plan 3 loans. Plan 2 loans are post 2012 undergraduate loans and Plan 3 loans are postgraduate degree loans. The rates will apply for a fixed period of two months, expiring on 28 February 2022. After expiry of the Regulations on 28 February 2022, the interest rate on post 2012 undergraduate loans and postgraduate degree loans will return to the rate specified in the 2009 Regulations (unless further amending regulations are made).

Similar amending regulations were made to cover the three month period ending on 30 September 2021 (applying rates of 5.3% between 1 July 2021 and 31 August 2021 and 4.2% between 1 and 30 September 2021) and a further three month period ending on 31 December 2021 (applying a rate of 4.1%).

These Regulations came into force on 1 January 2022.

Procedure

Composite negative.

The Regulations were made by both the Welsh Ministers and the Secretary of State, before being laid before both the Senedd and the United Kingdom Parliament.

The Senedd can annul the Regulations within 40 days (excluding any days when the Senedd is: (i) dissolved, or (ii) in recess for more than four days) of the date they were laid before the Senedd. The United Kingdom Parliament can also annul the Regulations, in accordance with the rules for annulment that apply to the United Kingdom Parliament.

Technical Scrutiny

The following point is identified for reporting under Standing Order 21.2 in respect of this instrument.

1. Standing Order 21.2(ix) – that it is not made or to be made in both English and Welsh

These Regulations have been made as a composite instrument, meaning the Regulations



have been: (a) made by both the Welsh Ministers and the Secretary of State, and (b) laid before both the Senedd and the United Kingdom Parliament. As a result, the Regulations have been made in English only.

The Explanatory Memorandum explains that:

“As the Regulations will be subject to UK Parliamentary scrutiny, it is not considered reasonably practicable for this instrument to be made or laid bilingually. Therefore, the amending regulations are made in English only.”

Merits Scrutiny

No points are identified for reporting under Standing Order 21.3 in respect of this instrument.

Welsh Government response

A Welsh Government response is not required.

Legal Advisers

Legislation, Justice and Constitution Committee

5 January 2022



Senedd Cymru

Pwyllgor Deddfwriaeth, Cyfiawnder a'r Cyfansoddiad

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Welsh Parliament

Legislation, Justice and Constitution Committee