

SL(5)119 – The Repayment of Student Loans and Postgraduate Master’s Degree Loans (Amendment) Regulations 2017

Background and Purpose

These composite **Regulations** further amend the **Education (Student Loans) (Repayment) Regulations 2009** (SI 2009/470) (‘the 2009 Regulations’) and relate to functions exercisable in respect of Wales in part by the Welsh Ministers and in part by the Secretary of State. The 2009 Regulations make provision for the repayment of student loans in England and Wales.

The amendments to the 2009 Regulations cover a range of specific issues, (some technical), as set out in para 4 of the Explanatory Memorandum, but are primarily concerned with ensuring the repayment of the Postgraduate Master’s loan by Welsh borrowers. The (highlight) provisions in relation to Welsh borrowers taking out a Postgraduate Master’s loan are:

- Repayments will begin at £21,000 and are income contingent;
- Interest charged at RPI +3%;
- Repayment at 6% of salary above threshold from April 2019;
- Repayment to be made concurrently with any undergraduate debt repayments;
- Any outstanding postgraduate debt to be written off thirty years from the date at which interest begins accruing.

Procedure

Negative

Technical Scrutiny

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

- That it is not made or to be made in both English and Welsh (21.2(ix))

The Explanatory Memorandum states, at paragraph 2, that as these “This composite statutory instrument is subject to the negative resolution procedure in the National Assembly for Wales and in the UK Parliament. Given the composite nature of the 2009 Regulations and that no routine Parliamentary processes exist by which to lay bilingual regulations before Parliament, these Regulations will be made in English only.”

Merits Scrutiny

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

Implications arising from exiting the European Union

On the specific issue of the repayment of the Postgraduate Master’s loan by Welsh borrowers/eligible students. These Regulations tie in with the **Education (Postgraduate Master’s Degree Loans) (Wales) Regulations 2017** (SI 2017/523) (‘the 2017 Regulations’) that provide for the making of loans to



students who are ordinarily resident in Wales for Postgraduate master's degree courses which begin on or after 1 August 2017.

To apply for a Postgraduate master's degree loan, students must be eligible students. The 2017 Regulations list all categories of eligible students; one category includes "EU nationals". It is unclear what financial support will be available to students who are EU nationals after the UK exits the EU.

Government Response

No Government response concerning the technical point raised in this report, is required.

Legal Advisers

Constitutional and Legislative Affairs Committee

16 August 2017

