EXPLANATORY MEMORANDUM TO

THE EDUCATION (STUDENT SUPPORT, ETC.) (AMENDMENT) (NO.3) REGULATIONS (NORTHERN IRELAND) 2022
S.R. No. 263

1. Introduction

1.1 This Explanatory memorandum has been prepared by the Department for the Economy ("the Department") to accompany S.R. 2022 No. XX, which is laid before the Northern Ireland Assembly.

1.2 The Statutory Rule is made under Articles 3 and 8(4) of the Education (Student Support) (Northern Ireland) Order 1998 and Articles 4 and 14(4) of the Higher Education (Northern Ireland) Order 2005 and is subject to the negative resolution procedure.

1.3 The rule will come into operation in accordance with regulation 1 of these Regulations.

2. Purpose

2.1 This rule amends the Student Fees (Amounts) Regulations (Northern Ireland) 2005 (the Fee Amounts Regulations) (S.R. 2005 No. 290) by increasing the basic and higher amounts of tuition fees that may be charged to full-time undergraduates in respect of an academic year beginning on or after 1st September 2023.

2.2 This rule increases support for students taking designated higher education courses in respect of the academic year beginning on or after 1st September 2023 and makes amendments to the Education (Student Support) (No. 2) Regulations (Northern Ireland) 2009 (S.R. 2009 No.373) ("the Student Support Regulations"). It also makes amendments to the Student Fees (Qualifying Courses and Persons) Regulations (Northern Ireland) 2007 (S.R. 2007 No. 328) ("the QCP Regulations").

2.3 This rule also makes necessary corrections and technical amendments.

3. Background

3.1 Tuition Fee Increases

This rule amends the Fee Amount Regulations by increasing the basic and higher amounts of tuition fees that may be charged to full-time undergraduates in respect of an academic year beginning on or after 1st September 2023. In each case the increases are by 1.8%, setting the maximum tuition fee level at £4,710 for academic year 2023/24.

3.2 Increase to Maintenance Loans

This rule also provides an 40% uplift to the maximum Maintenance Loan support to students.

3.3 Increase to Postgraduate Taught Tuition Fee Loans

This rule amends the maximum level of the Postgraduate Tuition Fee Loan. The maximum level of the loan will be set at £6,500 for postgraduate taught students commencing study of an approved postgraduate taught course in an academic year beginning on or after 1st September 2023.

3.4 Miscellaneous

This rule makes necessary corrections and technical amendments to correct an omission to ensure that those students studying for graduate entry courses are not discounted from Home Fee Status because of holding a previous honours degree, and to update the Republic of Ireland Institutions listed in Schedule 6 to the 2009 Regulations.

4. Consultation

There is no statutory requirement to consult on those elements of these Regulations and the changes facilitate increases to current support packages or represent statutory obligations.

A consultation has been undertaken in relation to increasing the postgraduate taught tuition fee loan and is available at Review of the Northern Ireland Postgraduate Tuition Fee Loan | Department for the Economy (economy-ni.gov.uk)

5. Equality Impact Assessment

Section 75 Equality of Opportunity Screening exercises have been carried out and it is our view that the proposals will not have an adverse impact on any of the Section 75 categories.

6. Rural Needs Impact Assessment

A Rural Needs Impact Assessment has been prepared.

7. Regulatory Impact Assessment

A Regulatory Impact Assessment has not been prepared for this rule as it has no adverse impact on business, charities or voluntary bodies.

8. Financial Implications

The financial implications of the student support package for academic year 2023/24 have been costed and their affordability ratified by DoF and HMT.

9. Section 24 of the Northern Ireland Act 1998

The Departmental Solicitor's Office has confirmed that the making of this rule complies with Section 24 of the NI Act.

10. EU Implications

This rule does not relate to withdrawal from the European Union / trigger the statement requirements under the European Union (Withdrawal) Act.

11. Parity or Replicatory Measures

Historically, the Department's Regulations were made in broad parity with England and Wales but following the wholesale changes that were implemented in England and Wales from academic year 2012/13 as a result of the Browne Review; this is no longer necessarily the case.

12. Additional information

If you require any further details regarding this rule you can send an e-mail to studentsupport@economy-ni.gov.uk