EXPLANATORY MEMORANDUM TO

THE EDUCATION (STUDENT SUPPORT) (EUROPEAN INSTITUTIONS) (AMENDMENT) REGULATIONS 2006

2006 No. 1785

1. This Explanatory Memorandum has been prepared by the Department for Education and Skills and is laid before Parliament by Command of Her Majesty.

2. Description

2.1 These Regulations amend the Education (Student Support) (European Institutions) Regulations 2006 (the "2006 Regulations") so as to increase in respect of an academic year beginning after 1st September 2006: (a) the amount of grant for fees payable to students attending courses at the Bologna Center; and (b) the amount of grant for living costs payable to students attending courses at the European University Institute. The opportunity has also been taken to correct a small number of drafting and typographical errors in the 2006 Regulations.

3. Matters of special interest to the Joint Committee on Statutory Instruments

3.1 None.

4. Legislative Background

4.1 The 2006 Regulations were made under sections 22, 42(6) and 43(1) of the Teaching and Higher Education Act 1998 which give the Secretary of State the power to make provision for grants to eligible students in connection with their undertaking of designated higher education courses and further education courses. The 2006 Regulations made provision for the payment of financial support to students attending courses at one of three European Institutions – The Bologna Center, the College of Europe and the European University Institute - in the 2005/06 and 2006/07 academic years.

4.2 These Regulations, which amend the 2006 Regulations, are made under the same provisions of the Teaching and Higher Education Act 1998.

5. Extent

5.1 These regulations apply to England.

6. European Convention on Human Rights

6.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. Policy background

The 2006 Regulations made provision, amongst other things, for the amounts of grants payable to students attending courses at one of the three European Institutions in an academic year commencing on or after 1st September 2006.

These grants include a grant for fees payable to students attending courses at the Bologna Center and a grant for living costs payable to students attending courses at the European University Institute. These grants are payable to such students who meet the qualifying criteria as set out in the 2006 Regulations.

In the 2006 Regulations provision was made to ensure that the maximum amount of grant for fees payable to a student attending a course at the Bologna Center in the 2006/07 academic year was €22,700. Since the 2006 Regulations came into force the Secretary of State has been notified that the fees payable by such students will in fact be €24,100. The 2006 Regulations have therefore been amended to ensure that these students are potentially eligible for a grant for fees to cover the total amount of fees payable.

In the 2006 Regulations provision was made to ensure that qualifying students attending courses at the European University Institute were eligible for grant for living costs of up to €12,840 for the 2006/07 academic year. We were later notified that the European University Institute had increased their grant for living costs requirement with effect from 1st January 2007. This is an annual exercise resulting from the meeting of the EUI High Council on which the UK is represented. This increase was anticipated and budgeted for. The 2006 Regulations have therefore been amended to provide for these students to receive a grant for living costs of up to €13,000 in the 2006/07 academic year.

A small number of drafting and typographical errors in the 2006 Regulations were also identified. This opportunity has, therefore, been taken to correct those errors. These corrections do not change the meaning of the 2006 Regulations.

8. Impact

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

8.2 There is no financial implication of the changes on the public sector

9. Contact

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