EXPLANATORY MEMORANDUM TO

THE EDUCATION (STUDENT SUPPORT) (EUROPEAN INSTITUTIONS) (AMENDMENT) REGULATIONS 2009

2009 No. 1576

1. This explanatory memorandum has been prepared by the Department for Business, Innovation and Skills and is laid before Parliament by Command of Her Majesty.

2. Purpose of the instrument

2.1 These Regulations amend the Education (Student Support) (European Institutions) (No. 2) Regulations 2006 ("the Principal Regulations") and the Education (Student Support) (European Institutions) (Amendment) (No. 2) Regulations 2008 ("the 2008 Regulations"). The Principal Regulations provide support for a small number of students taking designated postgraduate courses at one of three European Institutions; the Bologna Center in Bologna; the College of Europe in either Bruges, Belgium or Natolin, Poland; or the European University Institute in Florence, Italy. The 2008 Regulations set out the increase in the amounts of support payable to eligible students for the academic years beginning on or after 1st September 2009. The amending regulations update the fees payable for students of the Bologna Center and the College of Europe.

3. Matters of special interest to the [Joint Committee on Statutory Instruments *or* the Select Committee on Statutory Instruments]

3.1 None.

4. Legislative Context

4.1 The Principal Regulations and the 2008 Regulations are 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.

4.2 These amending regulations for 2009/10 update the fee amounts for the Bologna Center and the College of Europe.

5. Territorial Extent and Application

5.1 The Principal Regulations, the 2008 Regulations and the amending Regulations apply only to England.

6. European Convention on Human Rights

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

7. Policy background

- ***What is being done and why***

7.1 The regulations increase the funding available for fees for students at the Bologna Center and the College of Europe. The regulations also amend the amount payable for board and lodging to a College of Europe student dependent upon which campus the student attends.

- ***Consolidation***

7.2 The instrument amends the Education (Student Support) (European Institutions) (No. 2) Regulations 2006 as amended by the Education (Student Support) (European Institutions) (Amendment) Regulations 2007 (S.I. 2007/3344), the Education (Student Support) (European Institutions) (Amendment) Regulations 2008 (S.I. 2008/1478) and the Education (Student Support) (European Institutions) (Amendment) (No. 2) Regulations 2008 (S.I. 2008/3054). The instrument also amends the Schedule to the Education (Student Support) (European Institutions) (Amendment) (No. 2) Regulations 2008 (S.I. 2008/3054). There is no intention to consolidate the relevant legislation as other recent amendments relate substantially to uprating only.

8. Consultation outcome

8.1 There is no statutory requirement to consult and no consultation has been performed.

9. Guidance

9.1 None.

10. Impact

10.1 There is no impact on business, charities or voluntary bodies.

10.2 The impact on the public sector is minimal.

10.3 An Impact Assessment has not been prepared for this instrument.

11. Regulating small business

11.1 The legislation does not apply to small business.

12. Monitoring & review

12.1 The Regulations will be kept under review.

13. Contact

Elaine Underwood at the Department for Business, Innovation and Skills Tel: 0114 259 3336 or email: Elaine.underwood@dius.gsi.gov.uk can answer any queries regarding the instrument.