EXPLANATORY MEMORANDUM TO

EDUCATION (STUDENT SUPPORT) (No.2) REGULATIONS (NORTHERN IRELAND) 2009 (AMENDMENT) REGULATIONS (NORTHERN IRELAND) 2013

SR No. 128

1. Introduction

1.1 This Explanatory Memorandum has been prepared by the Department for Employment and Learning ("the Department") to accompany SR 2013 No. 128 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 is subject to the negative resolution procedure.

1.3 The rule will come into operation on 6 June 2013.

2. Purpose

2.1 This rule provides for support for students from Northern Ireland who are taking designated courses at relevant institutions of higher education in the Republic of Ireland from 1 September 2013. This category of student will now be eligible to apply for a loan to pay the student contribution charge that relevant institutions of higher education in the Republic of Ireland can charge and will also be eligible to apply for the same maintenance grant that all current system students can apply for.

3. Background

3.1 In June 2012 the Minister announced amendments to the student finance arrangements from academic year 13/14 onwards for new Northern Ireland domiciled entrants to higher education in the Republic of Ireland.

3.2 This announcement included the introduction of a loan arrangement to cover the registration fee (now known as the student contribution charge) and the re-alignment of the maintenance support arrangements (with those for Northern Ireland domiciled students studying in the United Kingdom).

3.3 The changes announced build upon recommendations in the independent student finance review by Joanne Stuart and the joint report on undergraduate mobility by the Irish Business and Employers Confederation and the Confederation of British Industry (IBEC-CBI).

4. Consultation

4.1 There is no statutory requirement to consult on these Regulations as they do not give effect to policy changes but facilitate policy implementation.

5. Equality Impact Assessment

5.1 A Section 75 Equality of Opportunity Screening exercise has 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. Regulatory Impact Assessment

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

7. Financial Implications

7.1 The financial implications of the student support package for academic year 2013/14 have been costed and take into account the financial restrictions in the current CSR period.

8. Section 24 of the Northern Ireland Act 1998

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

9. EU Implications

9.1 Not applicable.

10. Parity or Replicatory Measures

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

11. Additional Information

11.1 Not applicable.

12. Contact

12.1 John Neill at the Department for Employment and Learning, Tel: 028 90 257712 or email: john.neill@delni.gov.uk can answer any queries regarding this Rule.