



## 2011 CHAPTER 2

### **Student loans: effect of voluntary arrangement**

1.—(1) In Article 3(3) of the [Education \(Student Support\) \(Northern Ireland\) Order 1998 \(NI 14\)](#) (new arrangements for giving financial support to students) after sub-paragraph (f) insert—

- “(g) with respect to sums which a borrower receives, or is entitled to receive, under such a loan before or after a voluntary arrangement under Chapter 2 of Part 8 of the Insolvency (Northern Ireland) Order 1989 (individual voluntary arrangements) takes effect in respect of the borrower;
- (h) excluding or modifying the application of Chapter 2 of Part 8 of that Order in relation to liability to make repayments in respect of such a loan (whether the repayments relate to sums which the borrower receives, or is entitled to receive, before or after a voluntary arrangement takes effect in respect of the borrower).”.

(2) Subsections (3) and (4) have effect in relation to the [Education \(Student Loans\) \(Northern Ireland\) Order 1990 \(NI 11\)](#) to the extent that that Order continues in operation by virtue of any savings made, in connection with its repeal by the [Education \(Student Support\) \(Northern Ireland\) Order 1998 \(NI 14\)](#), by an order under Article 1(3) of that Order.

(3) In Schedule 2 (loans for students), in paragraph 5(1) for “or 283” substitute “, 283 or 283A”.

(4) In Schedule 2, after paragraph 5 insert—

(1) This paragraph applies to a sum by way of public sector student loan or subsidised private sector student loan that a person (“the debtor”) receives or is entitled to receive before or after a voluntary arrangement under Chapter 2 of Part 8 of the Insolvency (Northern Ireland) Order 1989 takes effect in respect of the debtor.

(2) The sum is to be ignored for the purposes of the voluntary arrangement.

(1) Chapter 2 of Part 8 of the Insolvency (Northern Ireland) Order 1989 (individual voluntary arrangements) has effect in relation to a student loan debt with the following modifications.

(2) A student loan debt is to be treated as not included among the debtor's debts.

(3) A person to whom a student loan debt is owed is to be treated as not being one of the debtor's creditors.

(4) A "student loan debt" is a debt or liability to which a debtor is or may become subject in respect of a public sector student loan or subsidised private sector student loan."

### **Short title**

**2.** This Act may be cited as the Student Loans (Amendment) Act (Northern Ireland) 2011.