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STATUTORY INSTRUMENTS

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**1998 No. 1760**

**The Education (Student Support) (Northern Ireland) Order 1998**

**Supply of information in connection with student loans**

5.—(1) This Article applies to any information which is held—

- (a) by the Commissioners of Inland Revenue; or
- (b) by a person providing services to those Commissioners and in connection with the provision of those services.

(2) Information to which this Article applies may be supplied to—

- (a) the Department or the Secretary of State;
- (b) any person or body acting on behalf of the Department or the Secretary of State under the delegation of functions provisions; or
- (c) any person or body by whom any function of the Department or the Secretary of State is for the time being exercisable to any extent by virtue of the transfer of functions provisions,

for the purpose of enabling or assisting the recipient to exercise any function in connection with the operation of the student loans scheme.

(3) Information supplied under paragraph (2) shall not be supplied by the recipient to any other person or body unless it is supplied—

- (a) to a person or body to whom it could be supplied under that paragraph; or
- (b) for the purposes of any civil or criminal proceedings arising out of the student loans scheme.

(4) Paragraphs (2) and (3) extend only to the supply of information by or under the authority of the Commissioners of Inland Revenue.

(5) This Article does not limit the circumstances in which information may be supplied apart from this Article.

(6) In this Article—

(a) “the delegation of functions provisions” means—

- (i) Article 4(3);
- (ii) section 23(4) of the Teaching and Higher Education Act 1998; or
- (iii) section 73A(3) of the Education (Scotland) Act 1980;

(b) “the transfer of functions provisions” means—

- (i) Article 4(1);
- (ii) section 23(1) of the Teaching and Higher Education Act 1998; or
- (iii) section 73A(1) of the Education (Scotland) Act 1980;

(c) “the student loans scheme” means the provisions of—

- (i) regulations under Article 3 so far as having effect in relation to loans under that Article;

- (ii) regulations under section 22 of the Teaching and Higher Education Act 1998 so far as having effect in relation to loans under that section; or
- (iii) regulations under section 73(f) of the Education (Scotland) Act 1980 made with respect to loans.