

---

STATUTORY INSTRUMENTS

---

**1998 No. 258**

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

**Transfer of public sector student loans to the private sector**

3. After Article 3 of the 1990 Order there shall be inserted—

**“Transfer of public sector student loans to the private sector**

**3A.—**(1) A relevant lender may assign to any other person all or any of the lender’s rights in respect of any public sector student loans.

(2) The Department may make such arrangements as it thinks fit for the purpose of facilitating, or otherwise in connection with, an assignment under paragraph (1).

(3) Arrangements under this Article may provide for the Department to make payments of any specified description which—

- (a) are payable in such circumstances, and at such times, as may be specified; and
- (b) are of such amounts as may be specified in, or determined in accordance with, the arrangements.

(4) Such arrangements may authorise the Department in specified circumstances—

- (a) to take an assignment from the purchaser of all or any of his rights in respect of any loan to which the arrangements relate; or
- (b) to direct the purchaser to assign all or any such rights to some other person under paragraph (1).

(5) Such arrangements may also provide for the appointment of an independent person approved by the Department with the function of investigating and reporting on any dispute between the purchaser and the borrower under a loan to which the arrangements relate.

(6) Paragraphs (3) to (5) shall not be read as affecting the generality of paragraph (2).

(7) In this Article—

“the purchaser” means the assignee under an assignment under paragraph (1);

“relevant lender”, in relation to a public sector student loan, means the person who made the loan or the purchaser;

“specified” means specified in arrangements under this Article.”.