

HIGHER EDUCATION (NORTHERN IRELAND) ORDER 2005

S.I. 2005 1116

EXPLANATORY MEMORANDUM

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Main Elements of the Order

Part 11 – Student Fees in Higher Education

8. The level of student fees in higher education is set at a standard rate which rises annually with inflation. This Order enables higher education institutions to set their own fees, up to a basic amount specified in regulations. Institutions that wish to charge fees above this rate will only be able to do so if they have in force a plan under this Part of the Order, approved by the Department. If institutions have such an approved plan, they may charge up to a higher amount (within the bounds of their plan), also specified in regulations. It is intended that loans will be made available, with repayments on an income-contingent basis and with no real rate of interest, to allow students to defer payment of fees.
9. The Department will approve and monitor plans made by institutions that wish to set fees higher than the basic amount. The matters to be covered by these plans - which will remain in force for up to five years - will be specified in regulations. Should an institution breach its plan, the Department may choose not to renew that plan or, where there is a need for more immediate action, it may impose financial requirements, including reducing its grant to that institution.

Part 111 – Student Support

10. Preventing student loan debt forming part of a bankrupt's estate - the Order makes it possible to prevent student loan debt being written off on discharge from bankruptcy.
11. Facilitating the deferral of payment of tuition fees - the Order contains a measure to support the deferral of the payment of tuition fees, by allowing student loan payments to be made directly to institutions, so that they can receive fee payments up front and students can repay later.
12. Supply of information - this provision gives the Department powers to make regulations empowering the specified supply of data to higher education institutions or other bodies exercising functions of a public nature.

Part IV - Supplementary

13. This Part contains supplementary provisions.