
STATUTORY INSTRUMENTS

2022 No. 301

EDUCATION

The Education (Student Loans) (Repayment) (Amendment) Regulations 2022

<i>Made</i>	- - - -	<i>15th March 2022</i>
<i>Laid before Parliament</i>		<i>16th March 2022</i>
<i>Laid before Senedd Cymru</i>		<i>16th March 2022</i>
<i>Coming into force</i>	- -	<i>6th April 2022</i>

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 22(1), (2)(g), (3)(a) and (b), (5) and 42(6) of the Teaching and Higher Education Act 1998(a).

The Welsh Ministers make these Regulations in exercise of the powers conferred by sections 22(1), (2)(g), (3)(a) and (b) and 42(6) of the Teaching and Higher Education Act 1998, now exercisable by them(b).

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Education (Student Loans) (Repayment) (Amendment) Regulations 2022 and come into force on 6th April 2022.

(2) Amendments made by these Regulations have the same extent as the provision amended.

Amendment of the Education (Student Loans) (Repayment) Regulations 2009

2. The Education (Student Loans) (Repayment) Regulations 2009(c) are amended in accordance with regulations 3 to 5.

Amendment of regulation 21A (interest rate on post-2012 student loans)

3.—(1) Regulation 21A is amended as follows.

(2) In paragraph (12), for sub-paragraph (a) substitute—

“(a) for the repayment threshold year ending on 5th April 2023, an amount of £27,295;”.

(a) 1998 c. 30. There are amendments to section 22(1), (2), (3) and (5) but none are relevant to these Regulations. Section 43(1) defines “prescribed” and “regulations”.

(b) The functions of the Secretary of State under section 22(1), (2)(g) and (3)(a) and (b) in relation to Wales were transferred to the National Assembly for Wales by section 44(1) of the Higher Education Act 2004 (c. 8). The functions of the Secretary of State under section 42(6) as regards Wales were transferred to the National Assembly for Wales by S.I. 1999/672. The above functions of the National Assembly for Wales were transferred to the Welsh Ministers by virtue of section 162 and paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32). The National Assembly for Wales was renamed Senedd Cymru, or the Welsh Parliament, by section 2 of the Senedd and Elections (Wales) Act 2020 (anaw. 1).

(c) S.I. 2009/470, amended by S.I. 2012/1309, 2017/831, 2018/284; there are other amending instruments but none is relevant.

- (3) In paragraph (12A)(a)—
- (a) for “5 April 2019” substitute “5th April 2023”;
 - (b) for the third column of the table substitute—

<i>“Lower interest threshold</i>
£5,460
£10,920
£16,380
£21,840
£27,295
£32,755
£38,215”.

- (4) In paragraph (13), for sub-paragraph (a) substitute—
- “(a) for the repayment threshold year ending on 5th April 2023, an amount of £49,130;”.

- (5) In paragraph (13A)(a)—
- (a) for “5 April 2019” substitute “5th April 2023”;
 - (b) for the third column of the table substitute—

<i>“Higher interest threshold</i>
£9,830
£19,655
£29,480
£39,305
£49,130
£58,960
£68,785”.

Amendment of regulation 29 (time for and amount of repayments)

4. In regulation 29(8), for sub-paragraph (a) (but not the final “and”) substitute—
- “(a) for the repayment threshold year ending on 5th April 2023, an amount of £27,295;”.

Amendment of regulation 76 (calculation of fixed instalment and applicable threshold)

- 5.—(1) Regulation 76 is amended as follows.
- (2) In paragraph (1), for the third column of the table relating to the applicable threshold for post-2012 student loans substitute—

<i>“Applicable threshold for post-2012 student loans</i>
£5,460
£10,920
£16,380
£21,840
£27,295
£32,755
£38,215”.

- (3) In paragraph (1AA), for “6 April 2019” substitute “6th April 2023”.

14th March 2022

Michelle Donelan
Minister of State
Department for Education

15th March 2022

Jeremy Miles
Minister for Education and Welsh Language, one of the Welsh Ministers

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Education (Student Loan) (Repayment) Regulations 2009 (S.I. 2009/470) (“the 2009 Regulations”), which make provision for the repayment of income-contingent student loans in England and Wales. This instrument maintains the income threshold above which student loan repayments must be made at the level that applied for financial year 2021/22 for one year, until 5th April 2023, and makes associated changes.

Regulation 3 amends regulation 21A of the 2009 Regulations to maintain the lower and higher interest thresholds at the same level as applied for financial year 2021/22. Regulation 4 amends regulation 29(8) of the 2009 Regulations to preserve the income threshold above which repayments must be made at £27,295 until 5th April 2023. Regulation 5 makes corresponding changes to regulation 76 applicable to overseas borrowers (borrowers who are not resident in the UK for income tax purposes).

A full impact assessment has not been produced for this instrument as no, or no significant impact on the private, voluntary or public sector is foreseen. The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to the exercise of the Welsh Ministers’ functions in these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from the Higher Education Division, Welsh Government, Cathays Park, Cardiff CF10 3NQ.

The Explanatory Memorandum laid before Parliament is published alongside the instrument on www.legislation.gov.uk.