

Subordinate Legislation Committee Report

(SLC(3)-02-09)

SLC231

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Under Standing Order 15.2 the Assembly is invited to pay special attention to the following instrument.

Title : The Assembly Learning Grants and Loans (Higher Education) (Wales) (No.2) Regulations 2008

These Regulations provide for financial support for students who are ordinarily resident in Wales taking designated higher education courses in respect of academic years beginning on or after 1 September 2009. They consolidate, with some changes, the Assembly Learning Grants and Loans (Higher Education) (Wales) Regulations 2008, as amended ("the 2008 Regulations").

Procedure: Negative

The following points have been identified for reporting under Standing Order 15.2.

The English text of regulation 3(9) concludes with a reference to 1 September 2009, whilst the Welsh text refers to 2008. [Standing Order 15.2 (vii)]

The English text of regulation 10(2)(b) includes the expression "or is applying for an additional amount of fee loan under regulation 21(3) or 21(7)," whilst the Welsh text states "neu os yw'n ceisio am swm ychwanegol o fenthyciad at ffioedd o dan reoliad 21(6) neu 21(8)," [or is applying for an additional amount of fee loan under regulation 21(6) or 21(8)]. [Standing Order 15.2 (vii)]

The English text of paragraph 5(1)(a) of Schedule 6 includes the expression "in any case where the household income exceeds £39,793" whilst the Welsh text states "mewn unrhyw achos lle mae incwm yr aelwyd dros £39,780" [in any case where the household income exceeds £39,780]. [Standing Order 15.2 (vii)]

These Regulations come into force on 9 January 2009; it is therefore important that these discrepancies be rectified as soon as possible.

Legal Advisers

Subordinate Legislation Committee

January 2009

Government have responded as follows:-

The Assembly Government accepts the reporting points and it intends to bring forward amending legislation at the earliest opportunity which is likely to arise within the next four months and in any event before 1 September 2009, the start of the academic year to which the Regulations relate".