

# SL(6)180 – The Education (Student Loans) (Repayment) (Amendment) Regulations 2022

## Background and Purpose

These [Regulations](#) amend the Education (Student Loans) (Repayment) Regulations 2009 (“the 2009 Regulations”). The 2009 Regulations provide the basis for the repayment of student loans made by the Welsh Ministers and include provision for interest to be charged on student loans.

Borrowers begin repayment of their student loan once their earnings are above a certain threshold. Plan 2 borrowers (those ordinarily resident in Wales or an EU student studying in Wales who began an undergraduate course on or after 1 September 2012) repay 9% of their earnings that are above that threshold.

These Regulations amend the 2009 Regulations to:

- implement a one year freeze on the Plan 2 student loan repayment threshold (at its current level of £27,295) and the interest rate thresholds for Welsh borrowers; and
- maintain the repayment threshold bands and lower and higher interest rate threshold bands at the current levels for borrowers who are resident overseas.

## Procedure

Composite Negative

The Regulations were made by both the Welsh Ministers and the Secretary of State, before being laid before both the Senedd and the United Kingdom Parliament.

The Senedd can annul the Regulations within 40 days (excluding any days when the Senedd is: (i) dissolved, or (ii) in recess for more than four days) of the date they were laid before the Senedd. The United Kingdom Parliament can also annul the Regulations, in accordance with the rules for annulment that apply to the United Kingdom Parliament.

## Technical Scrutiny

The following point is identified for reporting under Standing Order 21.2 in respect of this instrument:

### **1. Standing Order 21.2(ix) – that it is not made or to be made in both English and Welsh**

These Regulations have been made as a composite instrument, meaning that they have been: (a) made by both the Welsh Ministers and the Secretary of State, and (b) laid before both the Senedd and the United Kingdom Parliament.



As a result, these Regulations have been made in English only.

The Explanatory Memorandum provides that:

*“Given the composite nature of the 2009 Regulations and that no routine Parliamentary processes exist by which to lay bilingual regulations before Parliament, these Regulations will exceptionally be made in English only.”*

## Merits Scrutiny

No points are identified for reporting under Standing Order 21.3 in respect of this instrument.

## Welsh Government response

A Welsh Government response is not required.

### Legal Advisers

**Legislation, Justice and Constitution Committee**

**21 March 2022**



Senedd Cymru

**Pwyllgor Deddfwriaeth, Cyfiawnder a'r Cyfansoddiad**

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Welsh Parliament

**Legislation, Justice and Constitution Committee**