

# **SL(6)321 – The Education (Student Finance) (Miscellaneous Amendments) (Wales) Regulations 2023**

## **Background and Purpose**

The Welsh Ministers make regulations to underpin the system of financial support for students ordinarily resident in Wales, and certain other students studying in Wales, who are taking designated courses of higher education in the UK.

These [Regulations](#) amend existing student support regulations to:

- increase the amounts of undergraduate and postgraduate support;
- increase the maximum amount of doctoral loan instalment payable annually;
- enable more part-time students to apply for Grants for Dependants, and increase the income disregards used to calculate financial entitlement;
- make family members of certain persons settled in the UK eligible for certain elements of support;
- make certain persons from specified British Overseas Territories and EU Overseas Territories eligible for certain elements of support; and
- make technical amendments to the Education (European University Institute) (Wales) Regulations 2014 by omitting redundant provisions.

Some elements of support are increased by reference to projected increases in the National Living Wage for 2023, while others are increased by reference to RPIX (a measure of inflation with excludes mortgages interest payments).

The application of any increases in financial support under these Regulations differ depending on numerous factors such as: course start date, whether full or part time students and whether undergraduate or postgraduate students.

A detailed overview of the amendments to student support under these Regulations is set out in paragraphs 4.1-4.24 of the Explanatory Memorandum (“EM”).

The estimated additional financial costs of increased financial support under these Regulations is contained in the Regulatory Impact Assessment section of the EM, and relevant extracts are summarised below in the Merits Scrutiny section of this report.

## **Procedure**



Negative

The Regulations were made by the Welsh Ministers before they were laid before the Senedd. 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.

## Technical Scrutiny

No points are identified for reporting under Standing Order 21.2 in respect of this instrument.

## Merits Scrutiny

The following point is identified for reporting under Standing Order 21.3 in respect of this instrument.

### **1. Standing Order 21.3(ii) – that it is of political or legal importance or gives rise to issues of public policy to be of interest to the Senedd**

A Regulatory Impact Assessment has been undertaken for these Regulations which is contained in Part 2 of the EM.

Paragraph 6.7 of the EM states that the implications of not making these Regulations include:

- *“the value of student support will decrease, leaving students to bear the entire cost of this reduction at a time when the cost of living has increased;*
- *the Programme for Government objective to fund childcare for more families where parents are in education and training or on the edge of work will not be met; [and]*
- *there would be no comparability between family members of UK nationals and of other persons settled in the UK [...].*

The costs and benefits of making the Regulations are set out in paragraphs 6.9 – 6.14 of the EM. Specifically, it states:

*“The annual support uplifts for the 2023/24 academic year are estimated to cost an additional £80m.*

[...]

*The changes to [Grants for Dependents] to increase the income disregards and reduce intensity of study requirements are estimated to cost an additional £652,000 in the academic year 2023/24.*

[...]



*The amendment to make provision for family members of other persons with settled status in the UK will have a minor cost implication but as numbers are likely to be very low, any costs are considered to be minimal.*

*The amendment to make provision for UK nationals resident in the BOTs territories and EU nationals resident in the EOTs territories to be eligible for undergraduate tuition fee support and postgraduate support is thought to have a minor cost implication as numbers are likely to be low.”*

## **Welsh Government response**

A Welsh Government response is not required.

### **Legal Advisers**

**Legislation, Justice and Constitution Committee**

**20 February 2023**



Senedd Cymru

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

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Welsh Parliament

**Legislation, Justice and Constitution Committee**