
STATUTORY INSTRUMENTS

1998 No. 258

The Education (Student Loans) (Northern Ireland) Order 1998

Administration of public sector student loans

5.—(1) For paragraph 3 of Schedule 2 to the 1990 Order there shall be substituted—

“Public sector student loans: administration

3.—(1) Arrangements made with any person under Article 3(1) may in particular provide for—

- (a) the making of public sector student loans by that person;
- (b) the terms to be contained in the agreements for such loans, so far as not provided for by or under paragraph 1;
- (c) the making of payments by the Department to that person for the purpose of enabling him to make such loans or otherwise in connection with such loans;
- (d) the making of repayments by that person to the Department; and
- (e) the provision by that person to the Department of reports with respect to the working of the arrangements.

(2) Any such arrangements may also provide for the appointment of an independent person approved by the Department with the function of investigating and reporting on disputes between persons borrowing or intending to borrow by way of public sector student loans and the person with whom the arrangements are made.”

(2) In paragraph 3A of Schedule 2 to the 1990 Order (circulars to minors), for the words in sub-paragraph (a) from “such person” to “paragraph 3(1)” there shall be substituted “person with whom arrangements have been made under Article 3(1)”.

(3) In paragraph 4 of Schedule 2 to the 1990 Order (restriction on disclosure of information), for sub-paragraph (1) there shall be substituted—

“(1) No person with whom arrangements have been made under Article 3(1) shall provide or make available to anyone else (whether for consideration or not) any information held in connection with public sector student loans if the information is to be used for soliciting custom for goods or services.”

(4) Where any arrangements made with an existing lender under Article 3(1) of the 1990 Order were in force immediately before the coming into operation of this Article, then until such time as they are replaced by arrangements made in accordance with paragraph 3 of Schedule 2 to the 1990 Order as amended by paragraph (1) above—

- (a) the arrangements shall continue to have effect as if made in accordance with paragraph 3 of that Schedule as so amended;
- (b) existing paragraph 3(2) and (6) shall continue to have effect in relation to the existing lender and any public sector student loans made by him; and
- (c) in relation to any time when Article 4 is not in operation, existing paragraph 3(4) shall also continue to have effect.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (5) For the purposes of paragraph (4)—
- (a) “existing lender” means a person or body falling within existing paragraph 3(1);
 - (b) any reference to an “existing” provision is a reference to that provision of Schedule 2 to the 1990 Order as in operation immediately before the coming into operation of this Article.