WELSH STATUTORY INSTRUMENTS

2011 No. 885 (W.129)

EDUCATION, WALES

The Student Fees (Amounts) (Wales) Regulations 2011

Made - - - -	*21 March 2011*
Coming into force - -	*31 March 2011*

These Regulations are made by the Welsh Ministers in exercise of the powers conferred on the National Assembly for Wales by sections 28(6) and 47(5) of the Higher Education Act 2004(**1**) and now exercisable by them(**2**).

These are the first regulations to be made under section 28(6) of that Act prescribing the basic amount and the higher amount for the purposes of that section.

In accordance with section 26(1) of that Act(**3**) a draft of these Regulations was laid before and approved by a resolution of the National Assembly for Wales.

Title, commencement and application

1.—(1) The title of these Regulations is the Student Fees (Amounts) (Wales) Regulations 2011 and they come into force on 31 March 2011.

(2) These Regulations apply in relation to Wales.

Interpretation

2. In these Regulations—

"the 2004 Act" ("*Deddf 2004*") means the Higher Education Act 2004;

"overseas institution" ("*sefydliad tramor*") means an institution other than one in Wales, England, Scotland, Northern Ireland, the Channel Islands or the Isle of Man;

(**1**) 2004 c. 8. There are amendments to section 28 not relevant for the purposes of these Regulations.

(**2**) The functions of the National Assembly for Wales were transferred to the Welsh Ministers by virtue of paragraphs 30(1) and 30(2)(c) of Schedule 11 to the Government of Wales Act 2006 (c. 32).

(**3**) The function of prescribing the basic and higher amount now exercisable by the Welsh Ministers under section 28(6) of the Higher Education Act 2004 is the same or substantially the same as the function of the Secretary of State under section 24(6) of that Act. Under section 26(1) of that Act, the first regulations may not be made under section 24(1) of that Act prescribing the basic amount and the higher amount unless a draft of the regulations has been laid before and approved by a resolution of each House of Parliament. By virtue of paragraph 34(2) of Schedule 11 to the Government of Wales Act 2006 (c. 32), the provision applies to the exercise by the Welsh Ministers of the function of making the first regulations as if any reference to either House of Parliament were a reference to the National Assembly for Wales.