Draft Regulations laid before Parliament under section 119(2)(i) of the Higher Education and Research Act 2017, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2018 No.

EDUCATION, ENGLAND

The Higher Education (Fee Limits for Accelerated Courses) (England) Regulations 2018

Made - - - - ***

Coming into force in accordance with regulation 1

The Secretary of State, in exercise of the powers conferred by section 119(5)(a) of, and paragraphs 2(5), 2(11), 3(4), 3(10) and 4(1) of Schedule 2 to, the Higher Education and Research Act 2017(**1**), makes the following Regulations.

In accordance with section 119(2)(i) of that Act, and the Secretary of State having been satisfied that these are not Regulations to which paragraph 5(2)(b) of Schedule 2 to that Act applies, a draft of this instrument has been laid before Parliament and approved by resolution of each House of Parliament.

Citation, commencement and application

1. These Regulations may be cited as the Higher Education (Fee Limits for Accelerated Courses) (England) Regulations 2018 and come into force on the day after the day on which they are made.

2. These Regulations apply to English higher education providers(**2**).

Interpretation

3. In these Regulations—

"academic year" means the period of twelve months beginning on 1st January, 1st April, 1st July or 1st September of the calendar year in which the academic year of the course in question begins, according to whether that academic year begins on or after 1st January and before 1st April, on or after 1st April and before 1st July, on or after 1st July and before 1st August or on or after 1st August and on or before 31st December, respectively;

"the Act" means the Higher Education and Research Act 2017;

"Erasmus year" has the same meaning as in regulation 2(1) of the Student Support Regulations;

(**1**) 2017 c. 29. Paragraphs 2(13) and 3(12) of Schedule 2 to the Act provide that, for the purposes of paragraphs 2(5), 2(11), 3(4) and 3(10) of Schedule 2 to the Act, "prescribed" means prescribed by regulations made by the Secretary of State.

(**2**) See the definition of "English higher education provider" in section 83(1) of the Act.

"overseas provider" means a provider other than one in the United Kingdom, the Channel Islands or the Isle of Man;

"sandwich course" has the same meaning as in regulation 2(10) of the Student Support Regulations;

"the Student Support Regulations" means the Education (Student Support) Regulations 2011(**3**).

Higher, basic and floor amounts in the case of accelerated courses: general

4.—(1) Subject to paragraph (2), in these Regulations—

(a) regulations 5 and 6 prescribe higher amounts for the purposes of paragraph 2(2)(a) of Schedule 2 to the Act in the case of an accelerated course(**4**);

(b) regulations 7 and 8 prescribe basic amounts for the purposes of paragraph 3(2)(a) of that Schedule in the case of an accelerated course;

(c) regulations 5 to 8 prescribe floor amounts, in respect of the higher or basic amounts to which they relate, for the purposes of paragraphs 2 and 3 of that Schedule in the case of an accelerated course.

(2) The amounts prescribed by these Regulations shall only apply in respect of an academic year of an accelerated course where the first academic year of that accelerated course begins on or after 1st August 2019.

Higher and floor amounts: general

5. Except as otherwise provided in regulation 6—

(a) the higher amount is £11,100;

(b) the floor amount in respect of that higher amount is £10,800.

Higher and floor amounts for specified cases

6.—(1) The higher amount and the floor amount in paragraph (2) are prescribed in respect of an academic year of a sandwich course—

(a) during which any periods of full-time study are in aggregate less than 10 weeks; or

(b) if in respect of that academic year and any previous academic years of the course the aggregate of any one or more periods of attendance which are not periods of full-time study at the provider (disregarding intervening vacations) exceeds 30 weeks.

(2) Further to paragraph (1)—

(a) the higher amount is £2,220;

(b) the floor amount in respect of that higher amount is £2,160.

(3) In respect of an Erasmus year—

(a) the higher amount is £1,660;

(b) the floor amount in respect of that higher amount is £1,620.

(**3**) S.I. 2011/1986, as amended by S.I. 2012/1653, 2013/235, 2013/630, 2013/1728, 2013/3106, 2014/1766, 2014/2103, 2014/2765, 2015/1951, 2016/211, 2016/270, 2016/584, 2017/52, 2017/114, 2017/204, 2018/136, 2018/137, 2018/434, 2018/443 and 2018/472.

(**4**) See the definition of "accelerated course" in paragraph 4(2) of Schedule 2 to the Act.

(4) The higher amount and the floor amount in paragraph (5) are prescribed in respect of an academic year of a course (which is not an Erasmus year) provided in conjunction with an overseas provider—

(a) during which any periods of full-time study at the provider in the United Kingdom are in aggregate less than 10 weeks; or

(b) if in respect of that academic year and any previous academic years of the course the aggregate of any one or more periods of attendance which are not periods of full-time study at the provider in the United Kingdom (disregarding intervening vacations) exceeds 30 weeks.

(5) Further to paragraph (4)—

(a) the higher amount is £1,660;

(b) the floor amount in respect of that higher amount is £1,620.

Basic and floor amounts: general

7. Except as otherwise provided in regulation 8—

(a) the basic amount is £7,400;

(b) the floor amount in respect of that basic amount is £7,200.

Basic and floor amounts for specified cases

8.—(1) The basic amount and the floor amount in paragraph (2) are prescribed in respect of an academic year of a sandwich course—

(a) during which any periods of full-time study are in aggregate less than 10 weeks; or

(b) if in respect of that academic year and any previous academic years of the course the aggregate of any one or more periods of attendance which are not periods of full-time study at the provider (disregarding intervening vacations) exceeds 30 weeks.

(2) Further to paragraph (1)—

(a) the basic amount is £1,475;

(b) the floor amount in respect of that basic amount is £1,440.

(3) In respect of an Erasmus year—

(a) the basic amount is £1,105;

(b) the floor amount in respect of that basic amount is £1,080.

(4) The basic amount and the floor amount in paragraph (5) are prescribed in respect of an academic year of a course (which is not an Erasmus year) provided in conjunction with an overseas provider—

(a) during which any periods of full-time study at the provider in the United Kingdom are in aggregate less than 10 weeks; or

(b) if in respect of that academic year and any previous academic years of the course the aggregate of any one or more periods of attendance which are not periods of full-time study at the provider in the United Kingdom (disregarding intervening vacations) exceeds 30 weeks.

(5) Further to paragraph (4)—

(a) the basic amount is £1,105;

(b) the floor amount in respect of that basic amount is £1,080.