

**2016 No. 1205**

**EDUCATION, ENGLAND**

**The Higher Education (Basic Amount) (England) Regulations  
2016**

|                               |                           |
|-------------------------------|---------------------------|
| <i>Made</i> - - - -           | <i>13th December 2016</i> |
| <i>Laid before Parliament</i> | <i>15th December 2016</i> |
| <i>Coming into force</i> - -  | <i>6th January 2017</i>   |

The Secretary of State for Education makes the following Regulations in exercise of the powers conferred by sections 24(6) and 47 of the Higher Education Act 2004(a).

In accordance with section 26(2)(a)(i) of that Act, the Secretary of State is satisfied that the increase to the basic amounts is no greater than is required to maintain the value of that amount in real terms.

In accordance with section 26(3) of that Act, the Secretary of State has had regard to the index of prices specified in Regulations made under that subsection(b).

**Citation, commencement and application**

1. These Regulations may be cited as the Higher Education (Basic Amount) (England) Regulations 2016 and come into force on 6th January 2017.
2. These Regulations apply in relation to England.

**Interpretation**

3. In these Regulations—

“the 2004 Act” means the Higher Education Act 2004;

“Erasmus year” has the same meaning given in regulation 2(1) of the Student Support Regulations;

“overseas institution” means an institution other than one in England, Wales, Scotland, Northern Ireland, the Channel Islands and the Isle of Man;

“sandwich course” has the meaning given in regulation 2(10) of the Student Support Regulations;

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(a) 2004 c. 8. Section 24 was amended by the Education Act 2011 (c.21), section 16 and Schedule 5.

(b) S.I. 2006/507, as amended by the Student Fees (Inflation Index) (England) (Amendment) Regulations 2016. (S.I. 2016/1207)

“the Student Support Regulations” means the Education (Student Support Regulations) 2011(a).

### Meaning of “eligible institution”

4. An eligible institution is an institution listed in the Schedule to these Regulations.

### Application of the new basic amounts

5.—(1) The basic amounts prescribed in regulations 6, 7 and 8 apply in relation to the qualifying fees payable by a qualifying person in connection with a qualifying course in respect of an academic year of that course, if that academic year begins on or after 1st August 2017.

(2) The basic amounts do not apply if—

- (a) the qualifying course began before 1st September 2012;
- (b) the qualifying person is an end-on student; or
- (c) the qualifying person transfers from a qualifying course beginning before 1st September 2012 to a qualifying course beginning on or after 1st September 2012.

(3) In this Regulation—

“designated distance learning course” has the meaning given in regulation 122 of the Student Support Regulations;

“distance learning course” has the meaning given in regulation 2(1) of the Student Support Regulations;

“end-on student” means a student who is undertaking—

- (a) a full-time honours degree course beginning on or after 1st September 2012 which, disregarding any intervening vacation, a student begins to attend immediately after ceasing to attend a full-time course which is mentioned in paragraph 2, 3 or 4 of Schedule 2 to the Student Support Regulations or a full-time foundation degree or ordinary degree course, which started before 1st September 2012, having achieved a qualification;
- (b) a full-time distance learning honours degree course beginning on 1st September 2012 or after which, disregarding any intervening vacation, a student begins immediately after ceasing to undertake a full-time distance learning course which is mentioned in paragraph 2, 3 or 4 of Schedule 2 to the Student Support Regulations or a full-time distance learning foundation degree or ordinary degree course, which started before 1st September 2012, having achieved a qualification; or
- (c) a part-time honours degree course beginning on or after 1st September 2012 which, disregarding any intervening vacation, a student begins immediately after ceasing to undertake a full-time distance learning course which is mentioned in paragraph 2, 3 or 4 of Schedule 2 to the Student Support Regulations or a part-time foundation degree or ordinary degree course, which started before 1st September 2012, having achieved a qualification;

“transfer” means that the qualifying person’s status as student eligible for support has been transferred under regulations made under section 22 of the Teaching and Higher Education Act 1998(b) from a full-time course to another full-time course, a part-time course to another part-time course or a designated distance learning course to another designated distance learning course.

### Prescribed basic amount from 1st August 2017

6.—(1) The basic amount is—

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- (a) S.I. 2011/1986, as amended by S.I. 2012/164, 2013/235, 2013/630, 2013/1728, 2013/3106, 2014/1766, 2014/2103 and 2014/2765.
  - (b) 1998 c.30.

- (a) £6,165 in respect of an eligible institution; or
  - (b) £6,000 in respect of any other institution.
- (2) This regulation does not apply in relation to courses identified in either regulation 7 or 8.

**Prescribed basic amounts for specified courses from 1st August 2017**

7.—(1) In respect of the final academic year of a course if that academic year is normally required to be completed after less than 15 weeks' attendance, the basic amount is—

- (a) £3,080 in respect of an eligible institution; or
- (b) £3,000 in respect of any other institution.

(2) The basic amount is the amount specified in paragraph (3) 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 institution (disregarding intervening vacations) exceeds 30 weeks.

(3) The basic amount is—

- (a) £1,230 in respect of an eligible institution; or
- (b) £1,200 in respect of any other institution.

(4) In respect of an Erasmus year, the basic amount is—

- (a) £920 in respect of an eligible institution; or
- (b) £900 in respect of any other institution.

(5) The basic amount is the amount specified in paragraph (6) in respect of an academic year of a course provided in conjunction with an overseas institution which is not an Erasmus year—

- (a) during which any periods of full-time study at the institution 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 institution in the United Kingdom (disregarding intervening vacations) exceeds 30 weeks.

(6) The basic amount is—

- (a) £920 in respect of an eligible institution; or
- (b) £900 in respect of any other institution.

**Prescribed basic amount for part-time courses from 1st August 2017**

8. The basic amount in respect of a part-time course is—

- (a) £4,625 in respect of an eligible institution; or
- (b) £4,500 in respect of any other institution.

13th December 2016

*Joseph Johnson*  
Minister of State  
Department for Education

## SCHEDULE

Regulation 4

Abingdon and Witney College  
Accrington and Rossendale College  
Activate Learning  
Alton College  
Amersham & Wycombe College  
Anglia Ruskin University  
Anglo-European College of Chiropractic  
Arts University Bournemouth, the  
Ashton Sixth Form College  
Askham Bryan College  
Aston University  
Aylesbury College  
Barnet & Southgate College  
Basingstoke College of Technology  
Bath College  
Bath Spa University  
Bedford College  
Berkshire College of Agriculture, the (BCA)  
Bexhill College  
Birkbeck College  
Birkenhead Sixth Form College  
Birmingham City University  
Birmingham Metropolitan College  
Bishop Auckland College  
Bishop Burton College  
Bishop Grosseteste University  
Blackburn College  
Blackpool and the Fylde College  
BMC (Brooksby Melton College)  
Bolton College  
Boston College  
Bournemouth University  
Bournville College  
Bracknell and Wokingham College  
Bradford College  
Bridgwater and Taunton College  
British School of Osteopathy(the)  
Brockenhurst College  
Bromley College of Further and Higher Education  
Brooklands College  
Brunel University London  
Buckinghamshire New University  
Burnley College  
Burton and South Derbyshire College  
Bury College  
Calderdale College  
Cambridge Regional College  
Canterbury Christ Church University  
Carlisle College  
Carshalton College

Central Bedfordshire College  
Central College Nottingham  
Central Sussex College  
Chelmsford College  
Chesterfield College  
Chichester College  
Cirencester College  
City, University of London  
City College Brighton and Hove  
City College Coventry  
City College Plymouth  
City of Bristol College  
City of Westminster College  
City of Wolverhampton College  
Cleveland College of Art and Design  
Colchester Institute  
College of Haringey, Enfield and North-east London, the  
College of North West London, the  
Cornwall College  
Courtauld Institute of Art  
Coventry University  
Craven College  
Croydon College  
Darlington College  
De Montfort University  
Dearne Valley College  
Derby College  
Doncaster College  
Dudley College  
Ealing, Hammersmith & West London College  
East Berkshire College  
East Durham College  
East Kent College  
East Riding College  
East Surrey College  
Eastleigh College  
Easton and Otley College  
Edge Hill University  
Exeter College  
Falmouth University  
Fareham College  
Farnborough College of Technology  
Furness College  
Gloucestershire College  
Goldsmiths' College  
Grantham College  
Great Yarmouth College  
Grimsby Institute of Further and Higher Education  
Guildford College  
Guildhall School of Music & Drama  
Hadlow College  
Halesowen College  
Harlow College

Harper Adams University  
Harrow College  
Hartlepool College of Further Education  
Hartpury College  
Havering College of Further and Higher Education  
Heart of Worcestershire College  
Henley College Coventry  
Hereford College of Arts  
Herefordshire and Ludlow College  
Hertford Regional College  
Heythrop College  
Highbury College Portsmouth  
Hugh Baird College  
Hull College  
Imperial College of Science, Technology and Medicine  
Isle of Wight College  
Kendal College  
Kensington and Chelsea College  
King's College London  
Kingston College  
Kingston Maurward College  
Kingston University  
Kirklees College  
Knowsley Community College  
Lambeth College  
Lancaster and Morecambe College  
Leeds Beckett University  
Leeds City College  
Leeds College of Art  
Leeds College of Building  
Leeds Trinity University  
Leicester College  
Lewisham Southwark College  
Liverpool Hope University  
Liverpool John Moores University  
Liverpool School of Tropical Medicine  
London Metropolitan University  
London South Bank University  
Loughborough College  
Loughborough University  
Lowestoft College  
Macclesfield College  
Manchester College, the  
Manchester Metropolitan University  
Mid-Cheshire College  
Middlesbrough College  
Middlesex University  
Mid-Kent College  
Milton Keynes College  
Moulton College  
Myerscough College  
NCG  
Nelson and Colne College

New College Durham  
New College Nottingham (NCN)  
New College Stamford  
New College Swindon  
New College Telford  
Newbury College  
Newcastle and Stafford Colleges Group  
Newham College of Further Education  
Newman University  
North East Surrey College of Technology (NESCOT)  
North Hertfordshire College  
North Kent College  
North Lindsey College  
North Warwickshire and South Leicestershire College  
Northampton College  
Northbrook College Sussex  
Northern College for Residential Adult Education Limited(the)  
Northumberland College  
Norwich University of the Arts  
Nottingham Trent University  
Oaklands College  
Oxford Brookes University  
Peter Symonds College  
Peterborough Regional College  
Petroc  
Plumpton College  
Plymouth College of Art  
Preston College  
Queen Mary University of London  
Ravensbourne  
Reaseheath College  
Redbridge College  
Redcar & Cleveland College  
Richard Huish College  
Richmond upon Thames College  
Riverside College  
RNN Group  
Roehampton University  
Rose Bruford College of Theatre and Performance  
Royal Holloway and Bedford New College  
Royal College of Music  
Royal Northern College of Music  
Runshaw College  
Ruskin College  
Salford City College  
Sandwell College  
Seevic College  
Selby College  
Sheffield College, the  
Sheffield Hallam University  
Shrewsbury Colleges Group  
Solihull College and University Centre  
South & City College Birmingham

South Cheshire College  
South Devon College  
South Downs College  
South Essex College of Further and Higher Education  
South Gloucestershire and Stroud College  
South Tyneside College  
Southampton City College  
Southampton Solent University  
Sparsholt College  
St Helens College  
St Mary's University, Twickenham  
St. George's Hospital Medical School  
Staffordshire University  
Stanmore College  
Stephenson College  
Stockport College  
Stockton Riverside College  
Stratford-upon-Avon College  
Strode College  
Suffolk New College  
Sunderland College  
Sussex Coast College Hastings  
Sussex Downs College  
Swindon College  
Tameside College  
Teesside University  
Telford College of Arts & Technology  
The City of Liverpool College  
The College of West Anglia  
The Conservatoire for Dance and Drama  
The Liverpool Institute for Performing Arts  
The London School of Economics and Political Science  
The Open University  
The Royal Academy of Music  
The Royal Agricultural University  
The Royal Central School of Speech and Drama  
The Royal Veterinary College  
The School of Oriental and African Studies  
The University of Bath  
The University of Birmingham  
The University of Bolton  
The University of Bradford  
The University of Chichester  
The University of East Anglia  
The University of Essex  
The University of Huddersfield  
The University of Hull  
The University of Kent  
The University of Lancaster  
The University of Leeds  
The University of Leicester  
The University of Liverpool  
The University of Manchester



The University of Reading  
The University of Sheffield  
The University of Surrey  
The University of Warwick  
The University of West London  
The University of Westminster  
The University of Wolverhampton  
Tower Hamlets College  
Trafford College  
Tresham College of Further and Higher Education  
Trinity Laban Conservatoire of Music and Dance  
Truro and Penwith College  
Tyne Metropolitan College  
University College Birmingham  
University College London  
University for the Creative Arts  
University of Bedfordshire  
University of Brighton  
University of Bristol  
University of Cambridge  
University of Central Lancashire  
University of Chester  
The University of Cumbria  
University of Derby  
University of Durham  
University of East London  
University of Exeter  
University of Gloucestershire  
University of Greenwich  
University of Hertfordshire  
University of Keele  
University of Lincoln  
University of London  
University of Newcastle upon Tyne  
University of Northampton, the  
University of Northumbria at Newcastle  
University of Nottingham, the  
University of Oxford  
University of Plymouth  
University of Portsmouth  
University of Salford, the  
University of Southampton  
University of St Mark & St John  
University of Suffolk  
University of Sunderland  
University of Sussex  
University of the Arts, London  
University of the West of England, Bristol  
University of Winchester  
University of Worcester  
University of York  
Uxbridge College  
Wakefield College

Walsall College  
Waltham Forest College  
Warrington Collegiate  
Warwickshire College  
West Cheshire College  
West Herts College  
West Kent and Ashford College  
West Nottinghamshire College  
West Suffolk College  
West Thames College  
WKCIC Group  
Weston College of Further and Higher Education  
Weymouth College  
Wigan and Leigh College  
Wirral Metropolitan College  
Writtle University College  
Xaverian College  
Yeovil College  
York College  
York St John University

#### **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

Section 24 of the Higher Education Act 2004 (c.8) enables the Secretary of State to impose a condition on grants to the Higher Education Funding Council for England requiring it to impose a condition on financial support given to the governing body of a relevant institution. This condition would require the governing body to secure that the fees payable for a qualifying course by a qualifying student do not exceed either the prescribed basic amount, or, where an institution has an approved plan in force, the amount specified in that plan which is not to exceed the prescribed higher amount.

These Regulations prescribe that the basic amounts in respect of a relevant course for an academic year of that course which starts on or after 1st August 2017 are those listed in Regulations 6, 7 and 8. Regulation 6 sets out the basic amounts which will ordinarily apply. For fees payable in respect of an academic year of courses specified in Regulation 7, the basic amounts set out in that regulation will apply. Regulation 8 sets out the basic amounts which will apply in respect of part-time courses. The Higher Education (Higher Amount) (England) Regulations 2016 will prescribe the higher amounts.

For each type of course two basic amounts are prescribed. An upper basic amount applies in the case of an “eligible institution”, which regulation 4 defines as an institution listed in the Schedule to the regulations. These are institutions which have achieved a “Meets Expectations” rating for the purposes of Year One of the Teaching Excellence Framework, a scheme operated by the Department for Education for rating the quality of teaching in higher education. A second basic amount, which reflects the amounts prescribed in the Higher Education (Basic Amount) (England) Regulations 2010, will apply to any other institution that is subject to a condition imposed under section 24.

Regulation 5(2) provides that the amounts described above do not apply where the first academic year of a relevant course begins before 1st September 2012, where a student is an end-on student, or the student has transferred from a course that began before 1st September 2012 to a course that began on or after that date. In each of these cases the amounts set out in the Student Fees (Amounts) (England) Regulations 2004 (S.I. 2004/1932) will continue to apply.

An impact assessment has not been produced for this instrument as it has no impact on the costs of business, charities or the voluntary sector.

The Explanatory Memorandum is published alongside the Regulations on [www.legislation.gov.uk](http://www.legislation.gov.uk).

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