

THE EDUCATION (FEES AND AWARDS) (SCOTLAND) AMENDMENT REGULATIONS 2010 (SSI 2010/325)

EXECUTIVE NOTE

1. The above instrument is made in exercise of the powers conferred by sections 1 and 2 of the Education (Fees and Awards) Act 1983. The instrument amends the Education (Fees and Awards) (Scotland) Regulations 2007 (“the 2007 Regulations”) and is subject to negative resolution.

Policy Objective

2. The 2007 Regulations provide that it is lawful for publicly funded institutions of higher education or further education to charge higher admission and tuition fees to those students who do not have a relevant connection with the United Kingdom and Islands or who are not excepted students than those who do have such a connection or are excepted. Under the Student Fees (Specification) (Scotland) Order 2006 (“the 2006 Order”), such institutions are required to charge students having a relevant connection with the United Kingdom and Islands or who are excepted students the rates of fee specified in the Order but are free to charge other students a higher rate of fees.
3. This instrument amends paragraph 11 of Schedule 1 to the 2007 Regulations to make it clear that a person who does not have a relevant connection with the United Kingdom and Islands solely because that person (or a connected person) has been temporarily either employed or studying outside the United Kingdom and Islands will be an excepted student. This will allow such persons to qualify for the fees specified in the 2006 Order.

Impact Assessments

4. There are no equality impact issues therefore an equality impact assessment has not been necessary.

Financial Effects

5. The regulations have a negligible financial effect on the Scottish Government, Local Government or business. It has therefore not been necessary to prepare a Regulatory Impact Assessment.

Lifelong Learning Directorate