

## EXPLANATORY NOTE

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

Section 24 of the Higher Education Act 2004 enables the Secretary of State to impose a condition on grants to the Higher Education Funding Council for England and the Training and Development Agency for Schools requiring them 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 the basic amount where the first academic year of a relevant course begins on or after 1st September 2012. Regulation 4 sets out the amount which will ordinarily apply. For fees payable in respect of an academic year of courses specified in regulation 5, the basic amount set out in that regulation will apply. The Higher Education (Higher Amount) (England) Regulations 2010 prescribe the higher amounts.

Regulation 6 amends the Student Fees (Amounts) (England) Regulations 2004 (“the 2004 Regulations”) by limiting the basic amounts prescribed in the 2004 Regulations to those cases where the first academic year on a relevant course begins before 1st September 2012.

A full impact assessment which includes the effects that this instrument will have on the costs of business and the voluntary sector is available from the website of the Department of Business, Innovation and Skills at: [www.bis.gov.uk/impact-assessments](http://www.bis.gov.uk/impact-assessments).