
 STATUTORY INSTRUMENTS

1984 No. 1201

EDUCATION, ENGLAND AND WALES

EDUCATION, SCOTLAND

The Education (Fees and Awards) (Amendment) Regulations 1984

<i>Made</i>	- - -	<i>1st August 1984</i>
<i>Laid before Parliament</i>		<i>10th August 1984</i>
<i>Coming into Operation</i>		<i>7th September 1984</i>

In exercise of the powers conferred on the Secretary of State by sections 1 and 2 of the Education (Fees and Awards) Act 1983(a) and of all other powers enabling me in that behalf, I hereby make the following Regulations:—

1. These Regulations may be cited as the Education (Fees and Awards) (Amendment) Regulations 1984 and shall come into operation on 7th September 1984.

2. In these Regulations, a reference to the principal Regulations is a reference to the Education (Fees and Awards) Regulations 1983(b).

3. In Regulation 2(1) of the principal Regulations (Interpretation), the following words shall be inserted after the definition of “national of a member state of the European Community”—

“parent”, in relation to a student, includes a guardian and any other person having actual custody of the student during his minority”.

4. For the sums specified in Regulation 7(1) of the principal Regulations (Charging of higher relevant fees), there shall be substituted, in sub-paragraph (a) the sum of £2,148, in sub-paragraph (b) the sum of £1,653, and in sub-paragraph (c) the sum of £885.

5. For paragraph 3 of Schedule 2 to the principal Regulations, there shall be substituted the following paragraph —

“3. A person shall be an excepted student if —

(a) (i) he is a refugee; or

(ii) he has been informed in writing by a person acting under the authority of the Secretary of State for the Home Department that, although he is considered not to qualify for asylum or for recognition as a refugee, it is thought right to allow him to enter or remain in the United Kingdom, and has been granted leave to enter or remain accordingly;

(a) 1983 c.40.

(b) S.I. 1983/973.

and he has been ordinarily resident in the United Kingdom and Islands throughout the period since he was recognised as a refugee or granted asylum or granted leave to enter or remain, as the case may be; or

- (b) the person is the spouse, son or daughter of a person of the kind described in sub-paragraph (a).”

6. For the words “England and Wales” in paragraph 3(1)(c) of Schedule 3 to the principal Regulations, there shall be substituted the words “the United Kingdom”.

Keith Joseph,
Secretary of State for
Education and Science.

1st August 1984.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Education (Fees and Awards) Regulations 1983 (“the 1983 Regulations”), under which students who do not have a specified connection with the United Kingdom may be charged fees higher than those charged to other students, and may be made ineligible for certain discretionary awards.

The 1983 Regulations provide that a student is to be regarded as having the requisite connection with the United Kingdom notwithstanding that he has not been ordinarily resident here during a period before the start of his course, if the reason for his absence was that his parent was temporarily employed abroad. Regulation 3 of these Regulations introduces an extended definition of “parent” for this purpose.

Regulation 7 of the 1983 Regulations specified the maximum annual fees that may be charged to students unconnected with the United Kingdom who began courses here before 1st September 1980. Each of these maxima, which relate respectively to postgraduate courses, advanced courses other than postgraduate courses, and non-advanced courses, is increased by Regulation 4 of these Regulations.

Paragraph 3 of Schedule 2 to the 1983 Regulations describes the refugees—a term defined in Regulation 2(1) of those Regulations—who are excepted from liability to be charged higher fees. Regulation 5 of these Regulations extends this description to include certain persons who have been granted leave to enter or remain in the United Kingdom, their spouses and children.

Paragraph 3 of Schedule 3 to the 1983 Regulations provides that European Community nationals who satisfy certain conditions are not to be excluded from discretionary awards in respect of vocational courses. Regulation 6 of these Regulations amends one of the conditions, to require 9 months previous employment in the United Kingdom rather than (as originally) in England and Wales.

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