

1989 No. 302

EDUCATION, ENGLAND AND WALES

**The Education (Prescribed Courses of Higher Education)
(England) Regulations 1989**

<i>Made</i> - - - -	<i>2nd March 1989</i>
<i>Laid before Parliament</i>	<i>9th March 1989</i>
<i>Coming into force</i>	<i>1st April 1989</i>

In exercise of the powers conferred by section 132(5), (7) and (11) of the Education Reform Act 1988(a) the Secretary of State for Education and Science hereby makes the following Regulations:

1. These Regulations may be cited as the Education (Prescribed Courses of Higher Education) (England) Regulations 1989 and shall come into force on 1st April 1989.

2.—(1) In these Regulations —

“the Act” means the Education Reform Act 1988;

“block release” and “day release” have the same meanings as in paragraph 3 of Schedule 9 to the Act;

“a course providing education at a higher level” is to be construed in accordance with paragraph 3 of Schedule 6 to the Act;

“professional examination at a higher level” has the same meaning as in paragraph 2 of Schedule 6 to the Act;

“recognised award” has the same meaning as in section 214(2)(a) and (b) of the Act; and

“sandwich course” has the same meaning as in paragraph 3 of Schedule 9 to the Act.

(2) For the purposes of these Regulations a course does not cease to be a prescribed course of higher education merely because persons enrolled to take part in it include persons who study otherwise than by the mode of attendance described in the Schedule to these Regulations.

3. The courses of higher education set out in the Schedule to these Regulations, when provided by institutions in England, are hereby prescribed for the purposes of section 132(5), (7) and (11) of the Act.

(a) 1988 c.40; for the expression “prescribed” see section 235(7) of that Act and section 114 of the Education Act 1944 (c.31) and for the transfer of functions to the Secretary of State see S.I. 1964/490, 1970/1536 and 1978/274.

SCHEDULE

PRESCRIBED COURSES OF HIGHER EDUCATION

1. All postgraduate courses excluding such courses preparing persons solely for a degree which is not a recognised award or solely for a professional examination at a higher level.
2. All first degree courses excluding such courses preparing persons solely for a degree which is not a recognised award.
3. All full-time and sandwich courses for the Diploma of Higher Education or the Higher National Diploma of the Business & Technician Education Council.
4. All full-time and sandwich courses of more than one year's duration providing education at a higher level which are not prescribed courses of higher education by virtue of paragraphs 1 or 2 of this Schedule but which prepare persons for an examination for an award of the Council for National Academic Awards.
5. All full-time courses of at least one year's duration and all sandwich courses and part-time courses (including block release and day release courses) of at least two years' duration, being courses providing education at a higher level –
 - (a) for the initial or further training of youth and community workers, or
 - (b) for the further training of teachers including, notwithstanding paragraph 1 of this Schedule, any such teacher training course which is a postgraduate course preparing persons solely for a professional examination at a higher level.

2nd March 1989

Kenneth Baker
Secretary of State for Education and Science

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations list those courses of higher education which are prescribed courses of higher education for the purposes of section 132 of the Education Reform Act 1988 (and therefore courses the provision of which by institutions maintained or assisted by local education authorities may attract grant from the Polytechnics and Colleges Funding Council). The Regulations apply only to such courses provided by institutions in England.

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