
STATUTORY INSTRUMENTS

1994 No. 3042

The Education (Fees and Awards) Regulations 1994

PART II

FEES FOR TUITION ETC.

Scope of Part II

4.—(1) This Part shall have effect as respects the charging of relevant fees in respect of students attending a full-time or sandwich course provided by—

- (a) a university, or other institution within the higher education sector (within the meaning of section 91(5) of the Further and Higher Education Act 1992⁽¹⁾), or
- (b) an institution within the further education sector (within the meaning of section 91(3) of the Further and Higher Education Act 1992), or
- (c) a maintained institution,

and any reference in this Part to a student shall be construed accordingly.

(2) This Part shall also have effect as respects the charging of relevant fees in respect of students attending a full-time or sandwich course of teacher training provided by an eligible institution.

(3) In this Regulation—

“eligible institution” means an institution eligible for funding under Part I of the Education Act 1994⁽²⁾, other than an institution referred to in paragraph (1);

“full-time course” means a course normally involving not less than 15 hours attendance a week in term-time for the organised day-time study of a single subject or related subjects;

“maintained institution” means an institution maintained by an education authority;

“sandwich course” means a course consisting of alternate periods of full-time study in an establishment and periods of experience so organised that, taking the course as a whole, the student attends the periods of full-time study for an average of not less than 19 weeks in each year (the course being treated for the purpose of calculating attendance as beginning with the first period of full-time study and ending with the last such period) and, for the purposes hereof “periods of experience” means periods of industrial, professional or commercial experience associated with full-time study at the establishment but at a place outside the establishment except that, in the case of a student studying modern languages whose course includes periods of residence in a country whose language is the main language of that course, it means such periods of residence for which he is in gainful employment;

“university” includes a university college and a constituent college, school, or hall of a university.

(1) 1992 c. 13.

(2) 1994 c. 30.

Relevant fees

- 5.—(1) For the purposes of this Part “relevant fees” means the aggregate of—
- (a) any fees for admission, registration or matriculation (including matriculation exemption),
 - (b) any sessional or tuition fees,
 - (c) any composition fee, and
 - (d) any graduation fee,

in each case excluding any element thereof representing or attributable to such fees as are mentioned in paragraph (2).

- (2) The fees referred to in paragraph (1) are—
- (a) college fees or dues at the University of Cambridge, Durham, Kent, Lancaster, Oxford or York;
 - (b) any fees charged by an external body in respect of examinations or validation of a course or otherwise charged by such body whose requirements must (for the purposes of a course) be met;
 - (c) charges for board and lodging.

Relevant connection with the United Kingdom and Islands

6. For the purposes of this Part a student has a relevant connection with the United Kingdom and Islands if—

- (a) he has been ordinarily resident therein throughout the 3 year period preceding 1st September, 1st January or 1st April closest to the beginning of the first term of the student’s course, and
- (b) he has not been resident therein, during any part of that 3 year period, wholly or mainly for the purpose of receiving full-time education.

Charging of higher relevant fees

7. Subject to Schedule 1, it shall be lawful to charge higher relevant fees in the case of students who have not a relevant connection with the United Kingdom and Islands than in the case of students having such a connection.