

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Education (Mandatory Awards) Regulations 2003 (S.I.2003/1994), as amended (the “Principal Regulations”). The Principal Regulations ensure that students who began their courses before 1st September 1998, and certain other students, continue to receive mandatory awards and payments under those awards until the end of their courses.

Regulation 6 amends the Principal Regulations so that the new payment rates prescribed in the Schedule to these Regulations shall only apply in relation to an academic term which commences on or after 1st September 2006. Where an academic year starts before 1st September 2005, but ends after 1st September 2006, the old payment and new payment rates shall be applied proportionally.

Regulation 12 specifies increases in the rates of fee awards in relation to courses at the University of Buckingham, the Guildhall School of Music and Heythrop College. Increases in relation to other fee awards and grants are provided for in regulation 15 and the Schedule to these Regulations.

These Regulations also amend the Principal Regulations in order to implement Directive [2004/38/EC](#) of the European Parliament and of the Council of 29th April 2004 (OJ L158, 30.04.2004, p77-123) on the rights of citizens of the Union and their family members to move and reside freely in the territory of the member states so far as the Directive relates to mandatory awards. Certain categories of person who were not previously eligible for a mandatory award are now so eligible as a result of the Directive. To qualify for a mandatory award a student must, amongst other criteria, be determined by the relevant local authority to fall within Schedule 5A to the Principal Regulations (regulation 10). Schedule 5A sets out all of the categories of person who are potentially eligible for a mandatory award including those who are now so eligible as a result of the Directive. A copy of the Transposition Note in relation to the implementation of the Directive so far as it relates to mandatory awards is available from the Department for Education and Skills, Sanctuary Buildings, Great Smith Street, London, SW1P 3BT or on the website of the Office of Public Sector Information at www.opsi.gov.uk. A copy has also been placed in the libraries of both Houses of Parliament.

Regulations 6, 9, 11 and 13 make amendments to the Principal Regulations in consequence of the changes that have been made to Schedule 5A.

These Regulations also revoke in part the Education (Mandatory Awards) (Amendment) Regulations 2005.

A full regulatory impact assessment has not been produced for this instrument as it has no impact on the costs of business.

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Education (Mandatory Awards) (Amendment) Regulations 2006. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Sch. revoked by [S.I. 2007/1629 reg. 4\(b\)](#)
- Regulations revoked by [S.I. 2024/85 reg. 65\(1\)\(e\)](#)
- reg. 15 revoked by [S.I. 2007/1629 reg. 4\(a\)](#)