

2010 No. 598

EDUCATION, ENGLAND

The Young People's Learning Agency for England (Specified Charges) Regulations 2010

<i>Made</i> - - - -	<i>2nd March 2010</i>
<i>Laid before Parliament</i>	<i>9th March 2010</i>
<i>Coming into force</i> - -	<i>1st April 2010</i>

The Secretary of State for Children, Schools and Families makes the following Regulations in exercise of the powers conferred by sections 65(5) and 262 of the Apprenticeships, Skills, Children and Learning Act 2009(a):

Citation, commencement and interpretation

1. These Regulations may be cited as the Young People's Learning Agency for England (Specified Charges) Regulations 2010 and come into force on 1st April 2010.

2. In these Regulations—

“the Act” means the Apprenticeships, Skills, Children and Learning Act 2009;

“agreed learning programme” means the course syllabus or other agreement between the course provider and the learner as to the programme of learning to be followed;

“examination fees” means fees payable on being entered for an examination;

“tuition fees” means admission, enrolment, registration and tuition fees relating to a course.

Charges treated as made in relation to the provision of education or training

3.—(1) The following charges or descriptions of charges are to be treated as made in relation to the provision of education or training for the purposes of section 65 of the Act—

- (a) tuition fees,
- (b) examination fees, provided that the conditions mentioned in paragraph (2) are satisfied,
- (c) charges for equipment or clothing necessary in order to participate in the course.

(2) The conditions relating to examination fees are that—

- (a) the learner has satisfied any reasonable conditions of attendance; and
- (b) it is the first time that the learner has been entered for the examination (unless the learner had good reason, in the opinion of the course provider, for having failed to complete the examination on a previous occasion).

(a) 2009 c.22.

Charges not to be treated as made in relation to the provision of education or training

4. The following charges or descriptions of charges are not to be treated as made in relation to the provision of education or training for the purposes of section 65 of the Act—

- (a) charges for board or lodging,
- (b) charges for field trips or other activities which are not part of an agreed learning programme,
- (c) charges for the use of leisure facilities,
- (d) charges for equipment or clothing (except equipment or clothing necessary in order to participate in the course) or learning materials,
- (e) charges for photocopying or printing,
- (f) charges for items required to be replaced by the course provider as a result of fault on the part of the learner.

2nd March 2010

Iain Wright
Parliamentary Under Secretary of State
Department for Children, Schools and Families

EXPLANATORY NOTE

(This note is not part of the Regulations)

Section 65 of the Apprenticeships, Skills, Children and Learning Act 2009 places the Young People's Learning Agency for England under a duty to exercise its funding functions in relation to 16 to 18 education and training in such a way as to secure that no charge is made in relation to the provision of that education and training.

These Regulations, which come into force on 1st April 2010, make provision about charges, or descriptions of charges, which may, or may not, be treated as made in relation to the provision of education or training.

Regulation 3(1) sets out those charges which are to be treated as made in relation to the provision of education or training. Regulation 4 sets out those charges which are not to be treated as made in relation to the provision of education or training.

An Impact Assessment has not been prepared for this instrument as the effect on the public sector is minimal.

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