
STATUTORY INSTRUMENTS

2023 No. 74

The Education (Student Fees, Awards and Support) (Amendment) Regulations 2023

PART 1

Introductory

Citation and commencement

1. These Regulations may be cited as the Education (Student Fees, Awards and Support) (Amendment) Regulations 2023 and come into force on 16th February 2023.

Commencement Information

11 Reg. 1 in force at 16.2.2023, see [reg. 1](#)

Extent and application

2.—(1) These Regulations extend to England and Wales.

(2) Regulations 97 to 109 (amendment of the Higher Education (Fee Limit Condition) (England) Regulations 2017) apply in relation to English higher education providers⁽¹⁾.

(3) Otherwise these Regulations apply in relation to England only.

(4) The provisions of these Regulations specified in paragraph (5) apply only in relation to the provision of support, and to fees and awards applicable, in relation to a new academic year, whether or not anything done under these Regulations is done before, on or after 1st August 2023.

(5) The provisions mentioned in paragraph (4) are—

(a) regulations 11 to 32, 60 to 62, 76 to 78, 90 to 92, 104, 105, 116 to 118, 127 and 128 (amendments relating to ordinary residence requirements for existing protected categories or to in-year events);

(b) regulations 33(3)(b), 34(b), 35(b), 36(b), 37(3), 63(b), 64(4), 70(b), 71(3)(b), 80(b), 81(b), 82(b), 94(b), 95(b), 107(b), 108(b), 120(b), 121(b), 129(b), 130(b), 131(b) and 132(3)(b) (amendments relating to family members of persons granted leave under one of the Ukraine Schemes);

(c) regulation 53 and the Schedule (new payment rates: student support).

(6) The provisions of these Regulations specified in paragraph (7) apply only in relation to the provision of support, and to fees and awards applicable, in relation to—

(a) a new course, or

(b) a new academic year of an existing course,

⁽¹⁾ See the definition of “English higher education provider” in section 83(1) of the Higher Education and Research Act 2017.

whether or not anything done under these Regulation is done before, on or after 1st August 2023.

(7) The provisions mentioned in paragraph (6) are regulations 33(2), 33(3)(a), 34(a), 35(a), 36(a), 37(2), 63(a), 64(2) and (3), 70(a), 71(2) and (3)(a), 79, 80(a), 81(a), 82(a), 93, 94(a), 95(a), 106, 107(a), 108(a), 119, 120(a), 121(a)129(a), 130(a), 131(a), 132(2) and (3)(a) (amendments relating to family members of persons granted leave under one of the Afghan Schemes).

(8) The following provisions of these Regulations apply in relation to the provision of support to a student, and to fees and awards applicable, in relation to a new course, whether or not anything done under these Regulations is done before, on or after 1st August 2023—

- (a) regulations 38 to 47 and 109 (amendments relating to courses for higher technical qualifications or courses for the initial training of teachers in further education);
- (b) regulation 96 (new payment rates: Master’s Degrees);
- (c) regulations 122 and 123 (new payment rates: Doctoral Degrees);
- (d) regulations 134 to 136 (amendments relating to students who cease to be eligible students).

(9) In this regulation—

“existing course” means a course which begins—

- (a) on or after 1st August 2022, and
- (b) on or before 31st July 2023;

“new course” means a course which begins on or after 1st August 2023.

(10) This regulation is subject to Part 5 (savings).

Commencement Information

I2 Reg. 2 in force at 16.2.2023, see [reg. 1](#)

Interpretation: general

3.—(1) In these Regulations “new academic year” means an academic year which begins on or after 1st August 2023.

(2) For the purposes of these Regulations, an “academic year” is the period of twelve months beginning with 1st January, 1st April, 1st July or 1st September of the calendar year in which the academic year of the course in question begins, according to whether the academic year of the course in question begins—

- (a) on or after 1st January and before 1st April,
- (b) on or after 1st April and before 1st July,
- (c) on or after 1st July and before 1st August, or
- (d) on or after 1st August and on or before 31st December.

Commencement Information

I3 Reg. 3 in force at 16.2.2023, see [reg. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The Education (Student Fees, Awards and Support) (Amendment) Regulations 2023, PART 1.