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STATUTORY INSTRUMENTS

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**2023 No. 801**

The Higher Education (Assessment Fees) (England) Regulations 2023

PART 1

General

**Undertaking an assessment**

- 3.**—(1) In these Regulations, undertaking an assessment includes—
- (a) engaging in any activity in connection with undertaking the assessment, and
  - (b) communicating the outcome of the assessment.
- (2) But undertaking an assessment does not include—
- (a) making a decision to undertake the assessment;
  - (b) making any decision, or engaging in any activity, in relation to which a fee is payable under the 2022 Regulations;
  - (c) making any decision, or engaging in any activity, in relation to which a fee would be payable under the 2022 Regulations but for the application of regulation 2(1)(a) to (d) or (6) of those Regulations.