



# Higher Education Act 2004

## 2004 CHAPTER 8

### PART 3

#### STUDENT FEES AND FAIR ACCESS

##### *Imposition of conditions as to fees*

#### **<sup>F1</sup>23 Duty of Secretary of State to impose condition as to student fees, etc.**

.....

##### **Textual Amendments**

- F1** Ss. 22-41 omitted (1.4.2018) by virtue of [Higher Education and Research Act 2017 \(c. 29\), s. 124\(5\)](#), [Sch. 11 para. 30\(2\)](#); [S.I. 2018/241, reg. 2\(s\)](#) (with transitional and savings provisions in [S.I. 2018/245](#), regs. 2, 3, 13-16)

#### **<sup>F1</sup>24 Condition to be imposed by English funding bodies**

.....

##### **Textual Amendments**

- F1** Ss. 22-41 omitted (1.4.2018) by virtue of [Higher Education and Research Act 2017 \(c. 29\), s. 124\(5\)](#), [Sch. 11 para. 30\(2\)](#); [S.I. 2018/241, reg. 2\(s\)](#) (with transitional and savings provisions in [S.I. 2018/245](#), regs. 2, 3, 13-16)

#### **<sup>F1</sup>25 Transitional cases in which condition must not allow fees to exceed basic amount**

.....

*Changes to legislation: Higher Education Act 2004, Cross Heading: Imposition of conditions as to fees is up to date with all changes known to be in force on or before 04 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

**Textual Amendments**

**F1** Ss. 22-41 omitted (1.4.2018) by virtue of [Higher Education and Research Act 2017 \(c. 29\)](#), s. 124(5), [Sch. 11 para. 30\(2\)](#); S.I. 2018/241, reg. 2(s) (with transitional and savings provisions in S.I. 2018/245, regs. 2, 3, 13-16)

**<sup>F1</sup>26 Regulations under section 24(6) relating to basic or higher amount**

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**Textual Amendments**

**F1** Ss. 22-41 omitted (1.4.2018) by virtue of [Higher Education and Research Act 2017 \(c. 29\)](#), s. 124(5), [Sch. 11 para. 30\(2\)](#); S.I. 2018/241, reg. 2(s) (with transitional and savings provisions in S.I. 2018/245, regs. 2, 3, 13-16)

**<sup>F2</sup>27 Power of National Assembly for Wales to impose conditions as to student fees, etc.**

.....

**Textual Amendments**

**F2** Ss. 27, 28 omitted (1.9.2015) by virtue of [Higher Education \(Wales\) Act 2015 \(anaw 1\)](#), s. 59(2), [Sch. para. 9](#) (with [Sch. paras. 27-30](#)); S.I. 2015/1327, art. 5(s)(iii)

**<sup>F2</sup>28 [<sup>F3</sup> Condition that may be required to be imposed by [<sup>F4</sup>HEFCW]]**

.....

**Textual Amendments**

**F2** Ss. 27, 28 omitted (1.9.2015) by virtue of [Higher Education \(Wales\) Act 2015 \(anaw 1\)](#), s. 59(2), [Sch. para. 9](#) (with [Sch. paras. 27-30](#)); S.I. 2015/1327, art. 5(s)(iii)  
**F3** S. 28 heading substituted (1.9.2005) by [Education Act 2005 \(c. 18\)](#), s. 125(3)(a), [Sch. 14 para. 28\(2\)](#)  
**F4** Words in s. 28 heading substituted (1.4.2012) by [Education Act 2011 \(c. 21\)](#), s. 82(3), [Sch. 5 para. 22\(5\)](#); S.I. 2012/924, art. 2

**<sup>F1</sup>29 Sections 23 to [<sup>F5</sup>26]: supplementary provisions**

.....

**Textual Amendments**

**F1** Ss. 22-41 omitted (1.4.2018) by virtue of [Higher Education and Research Act 2017 \(c. 29\)](#), s. 124(5), [Sch. 11 para. 30\(2\)](#); S.I. 2018/241, reg. 2(s) (with transitional and savings provisions in S.I. 2018/245, regs. 2, 3, 13-16)

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**Changes to legislation:** Higher Education Act 2004, Cross Heading: Imposition of conditions as to fees is up to date with all changes known to be in force on or before 04 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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**F5** Word in s. 29 heading substituted (1.9.2015) by [Higher Education \(Wales\) Act 2015 \(anaw 1\)](#), s. 59(2), [Sch. para. 10\(5\)](#) (with [Sch. paras. 27-30](#)); S.I. 2015/1327, art. 5(s)(iii)

**Changes to legislation:**

Higher Education Act 2004, Cross Heading: Imposition of conditions as to fees is up to date with all changes known to be in force on or before 04 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 11(1) s. 11 renumbered as s. 11(1) by [2022 asc 1 s. 128\(2\)\(a\)](#)
- s. 11(1)(a) words substituted by [2022 asc 1 Sch. 4 para. 16\(2\)](#)
- s. 11(2)-(5) inserted by [2022 asc 1 s. 128\(2\)\(b\)](#)
- s. 12(2A) inserted by [2022 asc 1 s. 128\(3\)\(a\)](#)
- Sch. 2 para. 3(2)(d) inserted by [2023 c. 16 Sch. para. 19](#)