



Higher Education and Research Act 2017

2017 CHAPTER 29

PART 1

THE OFFICE FOR STUDENTS

Funding of the OfS

71 Other fees

- (1) The OfS may, in accordance with regulations made by the Secretary of State, charge a fee for—
 - (a) any activity undertaken by the OfS in the performance of its functions which is specified in the regulations;
 - (b) any service provided by it in the performance of its functions which is specified in the regulations.
- (2) The regulations may, in particular, make provision—
 - (a) about the persons required to pay the fees (“payees”);
 - (b) about the amounts which may be charged, including different amounts for different payees;
 - (c) about the charging of proportions of those amounts in certain circumstances;
 - (d) about when a fee is payable, including about payment by instalments;
 - (e) about the consequences of non-payment;
 - (f) about notification of payees of the fees payable, when they are payable and the consequences of non-payment;
 - (g) about the recovery of fees and of costs in recovering those fees;
 - (h) about the imposition of financial penalties for late payment of fees;
 - (i) about rights of appeal in respect of the imposition of such penalties;
 - (j) about the charging of interest;
 - (k) about the waiving or refunding of fees.

Changes to legislation: Higher Education and Research Act 2017, Section 71 is up to date with all changes known to be in force on or before 22 March 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

- (3) The regulations may provide for the amounts of fees to be calculated by reference to costs incurred by the OfS in the performance of the activity or service in question in relation to a person other than the payee.
- (4) If costs incurred by the OfS are costs by reference to which fees under section 70 are calculated as a result of regulations made under that section, fees calculated by reference to those costs may not be charged under this section.
- (5) Regulations under this section may be made only with the consent of the Treasury.

Commencement Information

II S. 71 in force at 1.8.2019 by S.I. 2018/1226, reg. 4(h)

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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):

- Pt. A1 inserted by [2023 c. 16 s. 1](#)
- s. A4 and cross-heading inserted by [2023 c. 16 s. 2](#)
- s. A5A6 and cross-heading inserted by [2023 c. 16 s. 3](#)
- s. A7 and cross-heading inserted by [2023 c. 16 s. 4](#)
- s. 2(1)(aa)(ab) inserted by [2023 c. 16 s. 5\(1\)](#)
- s. 2(7A) inserted by [2023 c. 16 Sch. para. 2\(3\)](#)
- s. 8A inserted by [2023 c. 16 s. 6](#)
- s. 9(3A) inserted by [2022 c. 21 s. 16\(2\)](#)
- s. 10(3A) inserted by [2023 c. 40 s. 2\(2\)\(a\)](#)
- s. 10(6A) inserted by [2023 c. 40 s. 2\(2\)\(b\)](#)
- s. 10(7A) inserted by [2023 c. 40 s. 2\(2\)\(c\)](#)
- s. 10(7B)(7C) inserted by [2023 c. 40 s. 1\(2\)\(b\)](#)
- s. 11(1A)(1B) inserted by [2023 c. 40 s. 2\(3\)\(b\)](#)
- s. 11(2)(2A) substituted for s. 11(2) by [2023 c. 40 s. 2\(3\)\(c\)](#)
- s. 31(1)(1A) substituted for s. 31(1) by [2023 c. 40 s. 2\(4\)\(a\)](#)
- s. 31(2A)(2B) inserted by [2023 c. 40 s. 2\(4\)\(c\)](#)
- s. 31(4) inserted by [2023 c. 40 s. 4\(4\)\(e\)](#)
- s. 67B(3A) inserted by [2023 c. 16 Sch. para. 5\(3\)](#)
- s. 67C(3) inserted by [2023 c. 16 Sch. para. 6](#)
- s. 69A and cross-heading inserted by [2023 c. 16 s. 5\(2\)](#)
- s. 69C inserted by [2023 c. 16 s. 8\(1\)](#)
- s. 73(1A) inserted by [2023 c. 16 Sch. para. 7\(3\)](#)
- s. 73(4A) inserted by [2023 c. 16 Sch. para. 7\(6\)](#)
- s. 85(1A) inserted by [2022 c. 21 s. 16\(4\)\(b\)](#)
- s. 119(2)(ha)(hb) inserted by [2023 c. 40 s. 2\(6\)](#)
- Sch. 2 para. 5(4) inserted by [2023 c. 40 s. 2\(7\)](#)
- Sch. 2 para. 1-1I substituted for Sch. 2 para. 1 by [2023 c. 40 s. 1\(4\)](#)
- Sch. 6A inserted by [2023 c. 16 s. 8\(2\)](#)
- Sch. 7 para. 4(5) inserted by [2023 c. 16 Sch. para. 13\(6\)](#)