
STATUTORY INSTRUMENTS

1991 No. 1839

**EDUCATION, ENGLAND AND WALES
EDUCATION, SCOTLAND**

**The Education (Fees and Awards)
(Amendment) (No. 2) Regulations 1991**

<i>Made</i>	- - - -	<i>5th August 1991</i>
<i>Laid before Parliament</i>		<i>9th August 1991</i>
<i>Coming into force</i>	- -	<i>1st September 1991</i>

The Secretary of State for Education and Science, in exercise of the powers conferred by sections 1 and 2 of the Education (Fees and Awards) Act 1983(1), hereby makes the following regulations:—

Citation and commencement

1. These Regulations may be cited as the Education (Fees and Awards) (Amendment) (No. 2) Regulations 1991 and shall come into force on 1st September 1991.

Amendment

2. The Education (Fees and Awards) Regulations 1983(2) shall be amended as follows—

(1) For regulation 4 of Part II (Fees for Tuition etc.), there shall be substituted the following—

“4.—(1) This Part shall have effect as respects the charging of relevant fees in respect of students attending a full-time or sandwich course provided by a university, an institution within the PCFC funding sector or a maintained institution, and any reference in this Part to a student shall be construed accordingly.

(2) In this Regulation—

“full-time course” means a course normally involving not less than 15 hours attendance a week in term-time for the organised day-time study of a single subject or related subjects;

(1) 1983 c. 40.

(2) S.I. 1983/973, as amended by S.I. 1984/1201, 1985/1219, 1987/1364, 1988/1391 and 1991/830.

“institution within the PCFC funding sector” means any institution which falls to be treated as within that sector for the purposes of the Education Reform Act 1988(3) by virtue of section 132 of that Act (which establishes the Polytechnics and Colleges Funding Council);

“maintained institution” means such an institution as is mentioned in Schedule 1;

“sandwich course” means a course consisting of alternate periods of full-time study in an establishment and periods of experience so organised that, taking the course as a whole, the student attends the periods of full-time study for an average of not less than 19 weeks in each year (the course being treated for the purpose of calculating attendance as beginning with the first period of full-time study and ending with the last such period) and, for the purposes hereof “periods of experience” means periods of industrial, professional or commercial experience associated with full-time study at the establishment but at a place outside the establishment except that, in the case of a student studying modern languages whose course includes periods of residence in a country whose language is the main language of that course, it means such periods of residence for which he is in gainful employment;

“university” includes a university college and a college, school, hall or other institution of a university”.

(2) In paragraph (2) of regulation 11 of Part IV (Awards by Research Councils and certain other Institutions)—

(a) in sub-paragraph (a) “Economic and Social Research Council” shall be substituted for “Social Science Research Council”;

(b) the following shall be substituted for sub-paragraph (c)—

“(c) the British Academy,
the Fellowship of Engineering, and
the Royal Society;”.

(3) In Part V, the words “United Kingdom” shall be substituted for “England and Wales” in each place where they occur.

(4) For Schedule 1 there shall be substituted the following—

“SCHEDULE 1

Regulation 4

MAINTAINED INSTITUTIONS

1. The reference in regulation 4 to a maintained institution is a reference to an institution which provides higher education or further education (or both) and—
 - (a) is either maintained by a local education authority; or
 - (b) is substantially dependent for its maintenance on public funds and is specified in paragraph 2.
2. The following institutions are hereby specified for the purpose of paragraph 1(b)—
Cambridge Institute of Education,
Cranfield Institute of Technology, Milton Keynes,
Royal College of Art, London,
College of the Sea, London,
National Sea Training Trust, London”

Signed on authority of the Secretary of State for Education and Science

Michael Fallon
Parliamentary Under Secretary of State for
Education and Science

5th August 1991

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which come into force on 1st September 1991, amend the Education (Fees and Awards) Regulations 1983.

Regulation 4 and Schedule 1 of the 1983 Regulations have been amended to reflect the amendment made to section 1 of the Education (Fees and Awards) Act 1983 by paragraph 91 of Schedule 12 to the Education Reform Act 1988 (except in respect of further education institutions in Scottish local education authorities, as these are dealt with by the Education (Fees and Awards) (Scotland) Regulations 1983 (S.I.1983/1215)) (regulation 2(1) and (4)). It is no longer necessary to specify in Schedule 1 institutions covered by the general reference to institutions in the PCFC funding sector.

The British Academy and the Fellowship of Engineering have been added to the list of bodies which make awards; the body formerly known as the Social Science Research Council has been re-named the Economic and Social Research Council and the list has been amended accordingly (regulation 2(2)).

Status: *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

The scheme for postgraduate agricultural studentships has been extended to Scottish and Northern Ireland candidates (regulation 2(3)).