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STATUTORY INSTRUMENTS

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**2021 No. 127**

**The Education (Student Fees, Awards and Support) (Amendment) Regulations 2021**

**PART 3**

**Amendment of the Education (Fees and Awards) (England) Regulations 2007**

**Amendment of regulation 4**

**28.** In regulation 4(1) (fee charging)—

(a) for paragraph (1) substitute—

“(1) Subject to paragraph (1B), it shall be lawful for the institutions mentioned in paragraph (3) to charge higher fees in the case of a person who does not fall within any of—

(a) paragraphs 2, 2A, 3, 4, 4A, 4B, 4C, 4D, 4E, 5, 6A, 7A, 8A, 9A, 9B, 9C, 9D, 9E, 10A, 11A, 12A and 13 of Schedule 1; or

(b) paragraphs 6, 7, 8, 9, 10, 11 and 12 of Schedule 1, where paragraph (1A) applies, than in the case of a person who does fall within any of those paragraphs.

(1A) This paragraph applies where—

(a) in connection with a course beginning before 1st August 2021, a person (“A”) fell within any of paragraphs 6, 7, 8, 9, 10, 11 and 12 of Schedule 1 in relation to an academic year of the course beginning before 1st August 2021; and

(b) A is liable for fees in connection with—

(i) that course; or

(ii) a course provided by an institution mentioned in paragraph (3) to which A transfers from that course.

(1B) In relation to a course beginning on or after 1st January 2028, paragraph (1) has effect as if sub-paragraph (a) did not mention paragraphs 8A and 9B of Schedule 1.”;

(b) in paragraph (2), after “within”, insert “a paragraph of”.