



Education (Fees and Awards) Act 1983

1983 CHAPTER 40

An Act to make provision with respect to the fees charged by universities and other institutions to students not having the requisite connection with the United Kingdom, the Channel Islands or the Isle of Man and the exclusion of such students from eligibility for certain discretionary awards. [13th May 1983]

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Modifications etc. (not altering text)

- C1 Act amended by [Education Reform Act 1988 \(c. 40, SIF 41:1\)](#), ss. **163(1)**, 231(7), 235(6)
C2 Act modified by [Education Reform Act 1988 \(c. 40, SIF 41:1\)](#), ss. **231(7)**, 235(6), 236(2)(a)

1 Fees at universities and further education establishments.

- (1) The Secretary of State may, as respects any institutions to which this section applies, make regulations requiring or authorising the charging of fees which are higher in the case of students not having such connection with the United Kingdom or any part of it as may be specified in the regulations than in the case of students having such a connection.
- (2) The regulations may provide for exceptions and make different provision for different cases or purposes.
- (3) This section applies to—
 - (a) any university, university college, or college school, hall or other institution of a university;
 - ^[F1](b) any institution within the PCFC funding sector; and
 - (c) any institution which provides higher education or further education (or both) and is either maintained by a local education authority or falls within subsection (3A) below; and

Status: Point in time view as at 01/02/1991.

Changes to legislation: Education (Fees and Awards) Act 1983 is up to date with all changes known to be in force on or before 27 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)

- (d) any further education institution in Scotland which is administered by an education authority.]

[^{F2}(3A) An institution falls within this subsection if it is substantially dependent for its maintenance on public funds and either is specified in the regulations or is of a class or description so specified.]

- (4) In this section “fees” includes charges however described (including charges for board and lodging) and “public funds” means assistance from a local education authority or, in Scotland, an education authority or grants under section 100(1)(b) of the ^{M1}Education Act 1944 or section 73 of the ^{M2}Education (Scotland) Act 1980 [^{F3}and expressions used in this section and in the Education Act 1944 have the same meaning as in that Act.].
- (5) The power to make regulations under this section shall be exercisable by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.
- (6) This section is without prejudice to section 27(6) of the ^{M3}Education Act 1980 (regulations as to fees for courses of further education).

Textual Amendments

- F1** S. 1(3)(b)(c)(d) substituted by Education Reform Act 1988 (c. 40, SIF 41:1), 231(7), 235(6), 237(1), Sch. 12 para. 91(2)
- F2** S. 1(3A) inserted by Education Reform Act 1988 (c. 40, SIF 41:1), ss. 231(7), 235(6), 237(1), **Sch. 12 para. 91(3)**
- F3** Words inserted by Education Reform Act 1988 (c. 40, SIF 41:1), ss. 231(7), 235(6), 237(1), **Sch. 12 para. 91(4)**

Marginal Citations

- M1** 1944 c. 31.
- M2** 1980 c. 44.
- M3** 1980 c. 20.

2 Discretionary awards.

- (1) The Secretary of State may, as respects any awards to which this section applies, make regulations authorising the adoption of rules of eligibility which confine the awards to persons having such connection with the United Kingdom or any part of it as may be specified in the regulations.
- (2) The regulations may provide for exceptions and make different provision for different cases or purposes.
- (3) This section applies to—
- any award under section 1(6) or 2 of the ^{M4}Education Act 1962 (discretionary awards by local education authorities); and
 - such other awards (however described) as may be specified by the regulations, being awards in connection with courses of education or training or the undertaking of research.

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- (4) The power to make regulations under this section shall be exercisable by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.

Marginal Citations

M4 1962 c. 12.

3 Short title interpretation and extent.

- (1) This Act may be cited as the Education (Fees and Awards) Act 1983.
- (2) In sections 1 and 2 above references to the United Kingdom include references to the Channel Islands and the Isle of Man.
- (3) This Act does not extend to Northern Ireland.

Modifications etc. (not altering text)

- C3** S. 3(2) excluded by S.I. 1983/1215, **art. 2(3)**
S. 3(2) excluded (E.W.) (1.1.1995) by S.I. 1994/3042, **reg. 2(4)**
S. 3(2) excluded (S.) (17.2.1997) by S.I. 1997/93, **reg. 2(3)**
S. 3(2) excluded (E.W.) (1.9.1997) by S.I. 1997/1972, **reg. 2(3)**

Status:

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Changes to legislation:

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