



Apprenticeships, Skills, Children and Learning Act 2009

2009 CHAPTER 22

PART 4

THE CHIEF EXECUTIVE OF SKILLS FUNDING

CHAPTER 1

ESTABLISHMENT AND MAIN DUTIES

Education and training for persons aged 19 or over etc.

88 Learning aims for persons aged 19 or over: payment of tuition fees

- (1) Functions under this Part must be exercised by the Chief Executive so as to secure that a course of study for a qualification to which paragraph 1 of Schedule 5 applies is free to a person falling within subsection (2) if it is provided for the person by virtue of facilities whose provision is secured under section 87.
- (2) A person falls within this subsection if, at the time of starting the course in question, the person—
 - (a) is aged 19 or over,
 - (b) does not have the qualification in question or one (including one awarded by a person outside England) which appears to the Chief Executive to be at a comparable or higher level, and
 - (c) satisfies such conditions as may be specified in regulations.
- (3) Functions under this Part must be exercised by the Chief Executive so as to secure that a course of study for a qualification to which paragraph 2 of Schedule 5 applies is free to a person falling within subsection (4) if it is provided for the person by virtue of facilities whose provision is secured under section 86.

Status: This is the original version (as it was originally enacted).

- (4) A person falls within this subsection if, at the time of starting the course in question, the person—
- (a) is aged at least 19 but less than 25,
 - (b) does not have the qualification in question or one (including one awarded by a person outside England) which appears to the Chief Executive to be at a comparable or higher level, and
 - (c) satisfies such conditions as may be specified in regulations.
- (5) The Secretary of State may by order—
- (a) amend subsection (2)(a) by substituting a different age for the age for the time being referred to;
 - (b) amend subsection (4)(a) by substituting a different age for either of the ages for the time being referred to.
- (6) For the purposes of this section, a course is free to a person if no tuition fees in respect of the provision of the course for the person are payable by a person other than—
- (a) the Chief Executive, or
 - (b) a body specified by order by the Secretary of State for the purposes of this section.
- (7) In subsection (6) “tuition fees”, in relation to a course, means—
- (a) the fees charged in respect of the course by the person providing it, and
 - (b) such fees in respect of other matters relating to the course (such as undergoing a preliminary assessment or sitting an examination) as may be specified in regulations.