EXPLANATORY MEMORANDUM TO

THE HIGHER EDUCATION (FEE LIMITS AND FEE LIMITS CONDITION) (ENGLAND) (AMENDMENT) REGULATIONS 2026

2026 No. [XXXX]

1. Introduction

1.1 This Explanatory Memorandum has been prepared by the Department for Education and is laid before Parliament by Command of His Majesty.

1.2 This memorandum contains information for the Joint Committee on Statutory Instruments.

2. Declaration

2.1 Baroness Smith Minister for Skills at the Department for Education confirms that this Explanatory Memorandum meets the required standard.

2.2 Anne Rimmer Deputy Director for Student Funding Policy at the Department for Education confirms that this Explanatory Memorandum meets the required standard.

3. Contact

3.1 Simon Wigfield at the Department for Education can be contacted by email at the following address with any queries regarding the instrument: simon.wigfield@education.gov.uk .

Part One: Explanation, and context, of the Instrument

4. Overview of the Instrument

What does the legislation do?

4.1 This statutory instrument (SI) increases the limits on tuition fees that higher education (HE) providers can charge students studying undergraduate courses in the 2026/27 & 2027/28 academic years. The fee limits that currently apply to academic years beginning on or after 1st August 2019 but before 1st August 2026 are preserved. The fee limits that currently apply to lower-fee foundation years that begin on or after 1st August 2025 are also preserved.

Where does the legislation extend to, and apply?

4.2 The extent of this SI (that is, the jurisdiction(s) which the instrument forms part of the law of) is England and Wales.

4.3 The territorial application of this SI (that is, where the instrument produces a practical effect) is England.

5. Policy Context

What is being done and why?

5.1 The Higher Education and Research Act 2017 ("the 2017 Act") established a new independent regulator – the Office for Students (OfS) – which was given various functions under Part 1 of that Act, including an obligation to establish and maintain a register of English HE providers (HEPs). In general, the provider must be registered

with the OfS in order for the Secretary of State to pay it a tuition fee loan on behalf of an eligible student. There are two parts to the register, with registered HEPs included in either the "Approved" or "Approved (Fee Cap)" category of registration. Providers in the Fee Cap category are subject to maximum fee limits in Regulations. In order to charge up to the highest fee limits, HEPs must have an Access and Participation Plan (APP) and Teaching Excellence Framework (TEF) award in place. Providers in the Approved category are not subject to fee limits in Regulations.

5.2 An Approved (Fee Cap) Provider with an APP and TEF award can charge up to the Higher Amount in this SI; those with an APP but without a TEF award can charge up to the Floor Amount to that Higher Amount; those with a TEF award but without an APP can charge up to the Basic Amount; those without a TEF award and without an APP can charge up to the Floor Amount to that Basic Amount. The SI sets different 'higher', 'basic' and 'floor' fee limit amounts depending on whether the fee limit is in relation to a full or part-time course, and an accelerated degree course. Different fee limit amounts also apply to the final year of a course, a sandwich placement year, an Erasmus year or other overseas year. The fee limits that currently apply to lower-fee foundation years that begin on or after 1st August 2025 are preserved. The following paragraphs set these out and a summary is provided in the tables in Annex 1 for 2026/27 & 2027/28 – Tuition Fee Limit amounts.

5.3 The intention of this SI is to increase maximum fee limits for full-time and part-time students undertaking a designated undergraduate course and those undertaking a designated accelerated degree course from 2026/27 & 2027/28. This instrument is increasing maximum fee limits for designated undergraduate and accelerated courses offered by Approved (Fee Cap) Providers by 2.71% in 2026/27 & 2.68% in 2027/28 for eligible new and continuing undergraduate students for these academic years, which is based on forecast RPIX[1] inflation figures for the first quarter of the 2027 and 2028 calendar years, respectively. RPIX is the inflation index in the Student Fees (Inflation Index) Regulations 2006 to which the Secretary of State has regard when satisfying herself that increases in maximum fee limits are no greater than is required to maintain their value in real terms.

5.4 The Government, in order to provide long-term certainty over future funding for the sector, and so the sector can focus on reform, will increase tuition fee limits for all HE providers in line with forecast inflation in 2026/27 and 2027/28 academic years. This will help to ensure a world-leading and financially sustainable HE sector that delivers better value for students, local growth, and the skills needed in the labour market.

5.5 The OfS will continue to support the sector to ensure financial sustainability and as the independent regulator of English HE providers, collects and analyses providers' financial data to ensure they have an up to date understanding of the sustainability of the sector. In November, the OfS published an update to their May financial health report. It found that the financial outlook for providers remains challenging with significant variation across the sector, despite modest improvements in student recruitment. The OfS's analysis suggests that, in 2025-26, tuition fee income could be c£438m lower than provider forecasts. Additionally, up to 45% of providers could face a deficit, and up to 16% may have low liquidity if providers do not take significant mitigating actions. This reflects annual inflation-linked increases to maximum tuition fees but excludes the International Student Levy.

[1] https://obr.uk/download/november-2025-economic-and-fiscal-outlook-detailed-forecast-tables-economy/?tmstv=1764324645

5.6 An Equality Impact Assessment (EIA) for academic years 2026/27 & 2027/28 for this SI has been published on legislation.gov.uk alongside this SI. Our overall assessment is that a 2.71% for 2026/27 and 2.68% increase for 2027/28 in tuition fee limits will not be significant enough to alter participation decisions. The increase in tuition fee limits will be accompanied by a commensurate increase in tuition fee loans ensuring that participation in HE remains free at the point of access for those eligible for support. While maximum tuition fees and tuition fee loans will rise in nominal terms, they will remain unchanged in real terms as will the level of debt that students may take on to cover their course costs.

Maximum fees in respect of an academic year starting on or after 1 August 2026 for full-time courses starting on or after 1 August 2019.

5.7 The higher amount for Approved (Fee Cap) Providers which have an APP and a TEF award will be £9,790 for full-time courses in 2026/27. The floor amount in respect of the higher amount for Approved (Fee Cap) providers which have an APP but do not have a TEF award will be £9,525 for full-time courses in 2026/27.

5.8 The basic amount for Approved (Fee Cap) providers without an APP, but with a TEF award will be £6,525 for full-time courses in 2026/27. The floor amount in respect of the basic amount for Approved (Fee Cap) providers which have neither an APP nor a TEF award will be £6,350 for full-time courses in 2026/27.

Maximum fees in respect of an academic year starting on or after 1 August 2027 for full-time courses starting on or after 1 August 2019.

5.9 The higher amount for Approved (Fee Cap) Providers which have an APP and a TEF award will be £10,050 for full-time courses in 2027/28. The floor amount in respect of the higher amount for Approved (Fee Cap) providers which have an APP but do not have a TEF award will be £9,780 for full-time courses in 2027/28.

5.10 The basic amount for Approved (Fee Cap) providers without an APP, but with a TEF award will be £6,695 for full-time courses in 2027/28. The floor amount in respect of the basic amount for Approved (Fee Cap) providers which have neither an APP nor a TEF award will be £6,520 for full-time courses in 2027/28.

Maximum fees in respect of an academic year starting on or after 1 August 2026 for specified cases for full-time courses starting on or after 1 August 2019.

5.11 Lower basic and higher amount tuition fees apply to the final year of a full-time course which is normally required to be completed after less than 15 weeks' attendance; for a sandwich work placement year where the periods of full-time study are less than 10 weeks; for a full-time course provided in conjunction with an overseas provider, where the periods of study at the UK provider are less than 10 weeks; and for an Erasmus study or work placement year. An Erasmus year is an academic year of a course where a student is participating in the European Union programme, Erasmus +, for education, training, youth and sport or in the Turing programme. For the final year of a full-time course which is normally required to be completed after less than 15 weeks' attendance, Approved (Fee Cap) providers can charge up to 50% of the maximum full-rate fees.

5.12 The higher amount for the final year of a course for Approved (Fee Cap) Providers which have an APP and TEF award will be £4,895 in 2026/27. The floor amount in respect of the higher amount for the final year of course for Approved (Fee Cap) providers which have an APP but do not have a TEF award will be £4,760 in 2026/27.

5.13 The basic amount for the final year of a course for Approved (Fee Cap) providers without an APP, but with a TEF award will be £3,260 in 2026/27. The floor amount in respect of the basic amount for the final year of course Approved (Fee Cap) providers which have an APP but do not have a TEF award will be £3,175 in 2026/27.

5.14 For a sandwich work placement year where the periods of full-time study in the academic year are less than 10 weeks, approved (Fee Cap) providers can charge up to 20% of the maximum full-rate fees.

5.15 The higher amount for a sandwich work placement year for Approved (Fee Cap) Providers which have an APP and TEF award will be £1,955 in 2026/27. The floor amount in respect of the higher amount for a sandwich work placement year for Approved (Fee Cap) providers which have an APP but do not have a TEF award will be £1,905 in 2026/27.

5.16 The basic amount for a sandwich work placement year for Approved (Fee Cap) providers without an APP, but with a TEF award will be £1,305 in 2026/27. The floor amount in respect of the basic amount for a sandwich work placement year for Approved (fee cap) providers which have neither an APP nor a TEF award will be £1,270 in 2026/27.

5.17 For an overseas study year where the periods of full-time study at the UK provider are less than 10 weeks or an Erasmus study or work placement year, approved (Fee Cap) providers can charge up to 15% of the maximum full-rate fees.

5.18 The higher amount for an overseas study year or an Erasmus study or work placement year for Approved (Fee Cap) Providers which have an APP and TEF award will be £1,465 in 2026/27. The floor amount in respect of the higher amount for an overseas study year or an Erasmus study or work placement year for Approved (Fee Cap) providers which have an APP but do not have a TEF award will be £1,425 in 2026/27.

5.19 The basic amount for an overseas study year or an Erasmus study or work placement year for Approved (Fee Cap) providers without an APP, but with a TEF award, will be £975 in 2026/27. The floor amount in respect of the basic amount for an overseas study year or an Erasmus study or work placement year for Approved (Fee Cap) providers which have neither an APP nor a TEF award will be £950 in 2026/27.

Maximum fees in respect of an academic year starting on or after 1 August 2027 for specified cases for full-time courses starting on or after 1 August 2019.

5.20 The higher amount for the final year of a course for Approved (Fee Cap) Providers which have an APP and TEF award will be £5,025 in 2027/28. The floor amount in respect of the higher amount for the final year of course for Approved (Fee Cap) providers which have an APP but do not have a TEF award will be £4,890 in 2027/28.

5.21 The basic amount for the final year of a course for Approved (Fee Cap) providers without an APP, but with a TEF award will be £3,345 in 2027/28. The floor amount in respect of the basic amount for the final year of course Approved (Fee Cap) providers which have an APP but do not have a TEF award will be £3,260 in 2027/28.

5.22 For a sandwich work placement year where the periods of full-time study in the academic year are less than 10 weeks, approved (Fee Cap) providers can charge up to 20% of the maximum full-rate fees.

5.23 The higher amount for a sandwich work placement year for Approved (Fee Cap) Providers which have an APP and TEF award will be £2,010 in 2027/28. The floor amount in respect of the higher amount for a sandwich work placement year for

Approved (Fee Cap) providers which have an APP but do not have a TEF award will be £1,955 in 2027/28.

5.24 The basic amount for a sandwich work placement year for Approved (Fee Cap) providers without an APP, but with a TEF award will be £1,335 in 2027/28. The floor amount in respect of the basic amount for a sandwich work placement year for Approved (Fee Cap) providers which have neither an APP nor a TEF award will be £1,300 in 2027/28.

5.25 For an overseas study year where the periods of full-time study at the UK provider are less than 10 weeks or an Erasmus study or work placement year, approved (Fee Cap) providers can charge up to 15% of the maximum full-rate fees.

5.26 The higher amount for an overseas study year or an Erasmus study or work placement year for Approved (Fee Cap) Providers which have an APP and TEF award will be £1,505 in 2027/28. The floor amount in respect of the higher amount for an overseas study year or an Erasmus study or work placement year for Approved (Fee Cap) providers which have an APP but do not have a TEF award will be £1,465 in 2027/28.

5.27 The basic amount for an overseas study year or an Erasmus study or work placement year for Approved (Fee Cap) providers without an APP, but with a TEF award, will be £1,000 in 2027/28. The floor amount in respect of the basic amount for an overseas study year or an Erasmus study or work placement year for Approved (Fee Cap) providers which have neither an APP nor a TEF award will be £975 in 2027/28.

Maximum fees in respect of an academic year starting on or after 1 August 2026 for an Accelerated Degree programme starting on or after 1 August 2019.

5.28 The higher amount for the final year of a course for Approved (Fee Cap) Providers which have an APP and TEF award will be £11,750 in 2026/27. The floor amount in respect of the higher amount for the final year of course for Approved (Fee Cap) providers which have an APP but do not have a TEF award will be £11,430 in 2026/27.

5.29 The basic amount for the final year of a course for Approved (Fee Cap) providers without an APP, but with a TEF award will be £7,830 in 2026/27. The floor amount in respect of the basic amount for the final year of course for Approved (Fee Cap) providers which have neither an APP nor a TEF award will be £7,620 in 2026/27.

5.30 For a sandwich work placement year where the periods of full-time study in the academic year are less than 10 weeks, approved (Fee Cap) providers can charge up to 20% of the maximum full-rate fees.

5.31 The higher amount for a sandwich work placement year for Approved (Fee Cap) Providers which have an APP and TEF award will be £2,350 in 2026/27. The floor amount in respect of the higher amount for a sandwich work placement year for Approved (Fee Cap) providers which have an APP but do not have a TEF award will be £2,285 in 2026/27.

5.32 The basic amount for a sandwich work placement year for Approved (Fee Cap) providers without an APP, but with a TEF award will be £1,565 in 2026/27. The floor amount in respect of the basic amount for a sandwich work placement for Approved (fee cap) providers which have neither an APP nor a TEF award will be £1,520 in 2026/27.

5.33 For an overseas study year where the periods of full-time study at the UK provider are less than 10 weeks or an Erasmus study or work placement year, approved (Fee Cap) providers can charge up to 15% of the maximum full-rate fees.

5.34 The higher amount for an overseas study year or an Erasmus study or work placement year for Approved (Fee Cap) Providers which have an APP and a TEF award will be £1,760 in 2026/27. The floor amount in respect of the higher amount for an overseas study year or an Erasmus study or work placement year for Approved (Fee Cap) providers which have an APP but do not have a TEF award will be £1,710 in 2026/27.

5.35 The basic amount for an overseas study year or an Erasmus study or work placement year for Approved (Fee Cap) providers without an APP, but with a TEF award will be £1,170 in 2026/27. The floor amount in respect of the basic amount for an overseas study year or an Erasmus study or work placement year for Approved (Fee Cap) providers which have neither an APP nor a TEF award will be £1,140 in 2026/27.

Maximum fees in respect of an academic year starting on or after 1 August 2027 for an Accelerated Degree programme starting on or after 1 August 2019.

5.36 The higher amount for the final year of a course for Approved (Fee Cap) Providers which have an APP and TEF award will be £12,060 in 2027/28. The floor amount in respect of the higher amount for the final year of course for Approved (Fee Cap) providers which have an APP but do not have a TEF award will be £11,735 in 2027/28.

5.37 The basic amount for the final year of a course for Approved (Fee Cap) providers without an APP, but with a TEF award will be £8,035 in 2027/28. The floor amount in respect of the basic amount for the final year of course for Approved (Fee Cap) providers which have neither an APP nor a TEF award will be £7,820 in 2027/28.

5.38 For a sandwich work placement year where the periods of full-time study in the academic year are less than 10 weeks, approved fee cap providers can charge up to 20% of the maximum full-rate fees.

5.39 The higher amount for a sandwich work placement year for Approved (Fee Cap) Providers which have an APP and TEF award will be £2,410 in 2027/28. The floor amount in respect of the higher amount for a sandwich work placement year for Approved (Fee Cap) providers which have an APP but do not have a TEF award will be £2,345 in 2027/28.

5.40 The basic amount for a sandwich work placement year for Approved (Fee Cap) providers without an APP, but with a TEF award will be £1,605 in 2027/28. The floor amount in respect of the basic amount for a sandwich work placement for Approved (fee cap) providers which have neither an APP nor a TEF award will be £1,560 in 2027/28.

5.41 For an overseas study year where the periods of full-time study at the UK provider are less than 10 weeks or an Erasmus study or work placement year, approved fee cap providers can charge up to 15% of the maximum full-rate fees.

5.42 The higher amount for an overseas study year or an Erasmus study or work placement year for Approved (Fee Cap) Providers which have an APP and a TEF award will be £1,805 in 2027/28. The floor amount in respect of the higher amount for an overseas study year or an Erasmus study or work placement year for Approved (Fee Cap) providers which have an APP but do not have a TEF award will be £1,760 in 2027/28.

5.43 The basic amount for an overseas study year or an Erasmus study or work placement year for Approved (Fee Cap) providers without an APP, but with a TEF award will be £1,205 in 2027/28. The floor amount in respect of the basic amount for an overseas study year or an Erasmus study or work placement year for Approved (Fee Cap) providers which have neither an APP nor a TEF award will be £1,170 in 2027/28.

Maximum fees in respect of an academic year starting on or after 1 August 2026 for part-time courses starting on or after 1 August 2019.

5.44 Maximum fees for part-time courses are set at around 75% of the maximum fees for full-time courses.

5.45 The higher amount for Approved (Fee Cap) Providers which have an APP and a TEF award will be £7,335 for part-time courses in 2026/27. The floor amount in respect of the higher amount for Approved (Fee Cap) providers which have an APP but do not have a TEF award will be £7,140 for part-time courses in 2026/27.

5.46 The basic amount for Approved (Fee Cap) providers without an APP, but with a TEF award will be £4,890 for part-time courses in 2026/27. The floor amount in respect of the basic amount for Approved (Fee Cap) providers which have neither an APP nor a TEF award will be £4,760 for part-time courses in 2026/27.

Maximum fees in respect of an academic year starting on or after 1 August 2027 for part-time courses starting on or after 1 August 2019.

5.47 Maximum fees for part-time courses are set at around 75% of the maximum fees for full-time courses.

5.48 The higher amount for Approved (Fee Cap) Providers which have an APP and a TEF award will be £7,530 for part-time courses in 2027/28. The floor amount in respect of the higher amount for Approved (Fee Cap) providers which have an APP but do not have a TEF award will be £7,330 for part-time courses in 2027/28.

5.49 The basic amount for Approved (Fee Cap) providers without an APP, but with a TEF award will be £5,020 for part-time courses in 2027/28. The floor amount in respect of the basic amount for Approved (Fee Cap) providers which have neither an APP nor a TEF award will be £4,885 for part-time courses in 2027/28.

Foundation years

5.50 The fee limits that currently apply to lower-fee foundation years for classroom-based subjects, such as business, social science and humanities, that begin on or after 1st August 2025 are also preserved.

What was the previous policy, how is this different?

5.51 Previous policy increased maximum fee limits for full-time and part-time students undertaking a designated undergraduate course and those undertaking a designated accelerated degree course from 2025/26. This policy increased maximum fee limits for designated undergraduate and accelerated courses offered by Approved (Fee Cap) Providers by 3.1% for eligible new and continuing undergraduate students for the 2025/26 academic year, based on forecast RPIX[2] . This was by way of a statutory instrument so named The Higher Education (Fee Limits and Fee Limit Condition) (England) (Amendment) Regulations 2025

6. Legislative and Legal Context

How has the law changed?

6.1 This SI amends The Higher Education (Fee Limits and Fee Limit Condition) (England) Regulations 2018 (the Fee Limit Regulations) and the Higher Education (Fee Limits for Accelerated Courses) (England) Regulations 2019 (the Accelerated

[2] https://obr.uk/download/november-2025-economic-and-fiscal-outlook-detailed-forecast-tables-economy/?tmstv=1764324645

Course Regulations) to increase maximum fee limit amounts set out in Regulations by 2.71% in academic year 2026/27 and 2.68% in academic year 2027/28.

6.2 As is currently the case, the uplifted fee limit amounts will apply to Approved (Fee Cap) Providers and be set out as 'higher', 'basic' and 'floor' amounts depending on whether the provider has a TEF award and/or an APP. The fee limit amounts will continue to vary depending on whether fee limit is in relation to a full or part-time course, accelerated degree course, the final year of a course, a sandwich placement year, an Erasmus year or other overseas year.

6.3 This SI is increasing these maximum fee limit amounts for designated undergraduate and accelerated degree courses offered by Approved (Fee Cap) Providers for eligible new and continuing undergraduate students for the 2026/27 & 2027/28 academic year.

Foundation Years

6.4 The fee limits that currently apply to lower-fee foundation years for classroom-based subjects, such as business, social science and humanities, that begin on or after 1st August 2025 are also preserved.

Why was this approach taken to change the law?

6.5 Implementing these policies must be done via an affirmative instrument due to the requirements of the enabling primary legislation.

7. Consultation

Summary of consultation outcome and methodology

7.1 There is no statutory requirement to consult on these amendment regulations, and no consultation was carried out. The principal changes in this SI make increases to existing Fee Limit Regulations and the Accelerated Course Regulations. A formal consultation would therefore not be appropriate for these changes given that they are not introducing new policy. However, as part of a quality review process in Autumn 2025, drafts of this SI were sent to the Student Loans Company (SLC) to ensure the drafting was accurate and met the policy intent of the changes.

8. Applicable Guidance

8.1 The Department for Education confirmed a 2.71% increase to maximum fee limits for academic year 2026/27 and 2.68% for academic year 2027/28 and a 2.71% increase to maximum loans for living costs for academic year 2026/27 on 26 November 2025. Details of increases to maximum fees limits was provided on GOV.UK[3] .

8.2 Information setting out the changes made by this SI will be made available to universities, colleges and other HE stakeholders on Student Finance England's (SFE) practitioners' website in early 2026 and early 2027 respectively. Further information on changes to student support for 2026/27 & 2027/28 will be published for students on GOV.UK and SFE websites before 1 August 2026 & 1 August 2027 respectively.

8.3 Guidance materials (which will be available in early 2026 & 2027 respectively) are being produced by SFE for students intending to apply for tuition fee support for the 2026/27 & 2027/28 academic years.

[3] https://www.gov.uk/government/publications/tuition-fees-and-student-support-2026-to-2027-academic-year/changes-to-tuition-fees-2026-to-2027-academic-year-and-2027-to-2028-academic-year

Part Two: Impact and the Better Regulation Framework

9. Impact Assessment

9.1 A full Impact Assessment is submitted with this memorandum and published alongside the Explanatory Memorandum on the legislation.gov.uk website.

Impact on businesses, charities and voluntary bodies

9.2 An increase in tuition fees will represent a financial benefit for businesses (higher education providers). There will be a positive financial impact on higher education providers; they will have greater financial resources which will enable them to spend more on their core activities than they previously were able to do.

9.3 The legislation does not impact small or micro businesses.

9.4 There is no, or no significant, impact on the public sector because these changes are either amendments of existing policy or reflect policy changes made by the Home Office or HMRC (in previous Finance Acts).

10. Monitoring and review

What is the approach to monitoring and reviewing this legislation?

10.1 The Statutory Instrument does not include a statutory review clause, but we will be monitoring the number of students in receipt of fee loans. This information is published in the Student Loans Company's Statistical First Releases[4] .

10.2 The Office for Students, as the regulatory body for Higher Education (HE) in England, is responsible for monitoring the financial performance of HE providers and will continue to assess the financial sustainability of the HE sector and individual providers.

10.3 The department will undertake a post-implementation review of the fee limits increases. As the fee limits increase will not be in place until the academic year 2026/27 & 2027/28 and there will be a lag in the data necessary to conduct such a review, we do not anticipate this happening until after 2028.

10.4 The impact of the changes to fee limits for classroom-based foundation years will be monitored by tracking statistics (using Higher Education Statistics Agency (HESA), Universities and Colleges Admissions Service (UCAS) and Student Loans Company data on the provision and take-up of foundation years. In line with the Better Regulation Framework, the department will also undertake a post-implementation review. As the fee limits changes will not be in place until the academic year 2026/27 & 2027/28 and there will be a lag in the data necessary to conduct such a review, we do not anticipate this happening until after 2029 at the earliest.

Part Three: Statements and Matters of Particular Interest to Parliament

11. Matters of special interest to Parliament

11.1 This SI makes changes to fee limits for undergraduate full time / part time and those undertaking an Accelerated Degree for new and existing students (dependent on the Institution they are in study at).

[4] https://www.gov.uk/government/organisations/student-loans-company/about/statistics

11.2 Section 119(5) of, and paragraphs 2, 3 and 4 of Schedule 2 to, the Higher Education and Research Act 2017 provide the powers to lay regulations setting fee limits for two academic years, 2026/27 and 2027/28.

11.3 Fee limits for new undergraduate students whose courses start on or after 1 January 2027 will be covered under the new Lifelong Learning Entitlement system, which will be set out in a separate SI that is expected to be laid in Parliament in spring 2026.

12. European Convention on Human Rights

12.1 The Minister of State (Minister for Skills) has made the following statement regarding Human Rights:

"In our view the provisions of the Higher Education (Fee Limits and Fee Limits Condition) (England) (Amendment) Regulations 2026 are compatible with the Convention rights."

13. The Relevant European Union Acts

13.1 This instrument is not made under the European Union (Withdrawal) Act 2018, the European Union (Future Relationship) Act 2020 or the Retained EU Law (Revocation and Reform) Act 2023 ("relevant European Union Acts").