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TO

Make provision to require all institutions of further and higher education in receipt of public funds to allocate places on merit; and for connected purposes.

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:—

1 Duty to allocate places on merit

It shall be the duty of all institutions within the further or higher education sectors in receipt of public funds to consider applicants domiciled in England for any course of study below post-graduate level on the basis of merit alone unless the circumstances in section 3 apply.

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2 Interpretation

In this Act—

“merit” means academic ability, potential and aptitude as assessed by the institution of further or higher education;

“institution of further education” and “institution of higher education” have the same meaning as in the Further and Higher Education Act 1992.

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3 Exemptions

Section 1 shall not apply in respect of any place or any course which is expressly restricted to a category or categories of applicant to be selected on criteria additional to or in substitution for the criterion of merit, provided that such restriction is published at the time that applications are invited.

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4 Commencement, short title and extent

(1) This Act comes into force on the day on which it is passed.

(2) This Act may be cited as the Further and Higher Education (Access) Act 2011.

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- (3) This Act extends to England and Wales only.

Further and Higher Education (Access) Bill

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*Presented by Mr Christopher Chope,
supported by Mr Peter Bone, Philip Davies,
Mr Philip Hollobone, Mr David Nuttall
and Priti Patel*

*Ordered, by The House of Commons,
to be Printed, 21 October 2010.*

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