



# Higher Education and Research Act 2017

## 2017 CHAPTER 29

### PART 1

#### THE OFFICE FOR STUDENTS

#### *Powers to grant degrees etc*

#### **53 Unrecognised degrees**

- (1) Section 214 of the Education Reform Act 1988 (unrecognised degrees) is amended as follows.
- (2) In subsection (2), before paragraph (a) insert—
  - “(za) an award granted or to be granted by a university, college or other body which it is authorised to grant by—
    - (i) an authorisation given under section 42(1) of the Higher Education and Research Act 2017 (“the 2017 Act”),
    - (ii) an authorisation varied under section 45(1) of the 2017 Act, or
    - (iii) regulations under section 51(1) of the 2017 Act;
  - (zb) an award granted or to be granted by a body for the time being permitted by a body falling within paragraph (za) to act on its behalf in the granting of that award where the grant of that award by that other body on its behalf is authorised by—
    - (i) the authorisation mentioned in paragraph (za), or
    - (ii) regulations under section 51(1) of the 2017 Act;”.
- (3) In subsection (2)(a), after “Act of Parliament” insert “ (other than section 42(1), 45(1) or 51(1) of the 2017 Act) ”.
- (4) In subsection (2)(c), for “Secretary of State” substitute “ appropriate authority ”.
- (5) After subsection (9) insert—

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*Changes to legislation: Higher Education and Research Act 2017, Section 53 is up to date with all changes known to be in force on or before 18 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) View outstanding changes*

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“(9ZA) For the purposes of this section as it extends to England and Wales, “the appropriate authority” means—

- (a) so far as the power to make an order under subsection (2)(c) is exercisable in relation to England, the Office for Students, and
- (b) so far as the power to make an order under that provision is exercisable in relation to Wales, the Welsh Ministers.”

(6) In subsection (9A)—

- (a) for “and section 215, as they extend” substitute “ as it extends ”, and
- (b) for “the reference to the Secretary of State is to be read as a reference to” substitute “ “the appropriate authority” means ”.

(7) In subsection (10)(a)—

- (a) for “means” substitute “—
  - (i) means”, and
- (b) after “outside the United Kingdom” insert “, and
  - (ii) includes the Office for Students”.

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#### **Commencement Information**

**II** S. 53 in force at 1.4.2018 by [S.I. 2018/241](#), **reg. 2(f)**

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. A1 inserted by [2023 c. 16 s. 1](#)
- s. A4 and cross-heading inserted by [2023 c. 16 s. 2](#)
- s. A5A6 and cross-heading inserted by [2023 c. 16 s. 3](#)
- s. A7 and cross-heading inserted by [2023 c. 16 s. 4](#)
- s. 2(1)(aa)(ab) inserted by [2023 c. 16 s. 5\(1\)](#)
- s. 2(7A) inserted by [2023 c. 16 Sch. para. 2\(3\)](#)
- s. 8A inserted by [2023 c. 16 s. 6](#)
- s. 9(3A) inserted by [2022 c. 21 s. 16\(2\)](#)
- s. 10(3A) inserted by [2023 c. 40 s. 2\(2\)\(a\)](#)
- s. 10(6A) inserted by [2023 c. 40 s. 2\(2\)\(b\)](#)
- s. 10(7A) inserted by [2023 c. 40 s. 2\(2\)\(c\)](#)
- s. 10(7B)(7C) inserted by [2023 c. 40 s. 1\(2\)\(b\)](#)
- s. 11(1A)(1B) inserted by [2023 c. 40 s. 2\(3\)\(b\)](#)
- s. 11(2)(2A) substituted for s. 11(2) by [2023 c. 40 s. 2\(3\)\(c\)](#)
- s. 31(1)(1A) substituted for s. 31(1) by [2023 c. 40 s. 2\(4\)\(a\)](#)
- s. 31(2A)(2B) inserted by [2023 c. 40 s. 2\(4\)\(c\)](#)
- s. 31(4) inserted by [2023 c. 40 s. 4\(4\)\(e\)](#)
- s. 67B(3A) inserted by [2023 c. 16 Sch. para. 5\(3\)](#)
- s. 67C(3) inserted by [2023 c. 16 Sch. para. 6](#)
- s. 69A and cross-heading inserted by [2023 c. 16 s. 5\(2\)](#)
- s. 69C inserted by [2023 c. 16 s. 8\(1\)](#)
- s. 73(1A) inserted by [2023 c. 16 Sch. para. 7\(3\)](#)
- s. 73(4A) inserted by [2023 c. 16 Sch. para. 7\(6\)](#)
- s. 85(1A) inserted by [2022 c. 21 s. 16\(4\)\(b\)](#)
- s. 119(2)(ha)(hb) inserted by [2023 c. 40 s. 2\(6\)](#)
- Sch. 2 para. 5(4) inserted by [2023 c. 40 s. 2\(7\)](#)
- Sch. 2 para. 1-1I substituted for Sch. 2 para. 1 by [2023 c. 40 s. 1\(4\)](#)
- Sch. 6A inserted by [2023 c. 16 s. 8\(2\)](#)
- Sch. 7 para. 4(5) inserted by [2023 c. 16 Sch. para. 13\(6\)](#)