



# Higher Education and Research Act 2017

## 2017 CHAPTER 29

### PART 1

#### THE OFFICE FOR STUDENTS

##### *Interpretation*

#### **84 Designation of other providers of higher education**

- (1) The Secretary of State may, on the application of a provider of higher education within subsection (2), designate the provider for the purposes of this section.
- (2) A provider of higher education is within this subsection if—
  - (a) it provides higher education,
  - (b) its activities are carried on, or principally carried on, in England, and
  - (c) but for the designation it would not be regarded as an institution for the purposes of this Part.
- (3) A provider of higher education designated under this section is, unless the designation is withdrawn, to be treated for the purposes of any provision made by or under this Part as being an institution.
- (4) The Secretary of State may, by regulations, make provision about—
  - (a) the making of applications for designation;
  - (b) the making of designations under this section (including provision about matters to be taken into account in determining whether to make a designation);
  - (c) the withdrawal of a designation (including provision about matters to be taken into account in determining whether to withdraw a designation);
  - (d) the effect of a withdrawal of a designation (including provision for a provider whose designation is withdrawn to continue to be treated as an institution for purposes prescribed in the regulations).
- (5) Subsection (3) is subject to any provision made under subsection (4)(d).