

2024 No. 566 (C. 34)

EDUCATION, ENGLAND

**The Higher Education (Freedom of Speech) Act 2023
(Commencement No. 2) Regulations 2024**

Made - - - -

25th April 2024

The Secretary of State makes these Regulations in exercise of the powers conferred by section 13(3) and (4) of the Higher Education (Freedom of Speech) Act 2023^(a).

Citation, extent and interpretation

1.—(1) These Regulations may be cited as the Higher Education (Freedom of Speech) Act 2023 (Commencement No. 2) Regulations 2024.

(2) These Regulations extend to England and Wales only, subject to paragraph (3).

(3) Regulation 2(j) extends to England and Wales and Scotland insofar as it brings into force Part 2 of the Schedule to the Act.

(4) In these Regulations, “the Act” means the Higher Education (Freedom of Speech) Act 2023.

Provisions coming into force on 1st August 2024

2. The following provisions of the Act come into force on 1st August 2024—

- (a) section 1 (duties of registered higher education providers);
- (b) section 2 (duties of constituent institutions);
- (c) section 3 (duties of students’ unions);
- (d) section 4 (civil claims);
- (e) section 5 (general functions);
- (f) section 7 (regulation of duties of students’ unions) insofar as it is not already in force;
- (g) section 8 (complaints scheme);
- (h) section 11 (minor and consequential amendments) insofar as it relates to the provisions set out in paragraphs (i) and (j);
- (i) paragraph 1 of the Schedule (minor and consequential amendments) insofar as it relates to the provisions set out in paragraph (j);
- (j) the remaining paragraphs of the Schedule insofar as they are not already in force, except for paragraph 3.

Provisions coming into force on 1st September 2025

3. The following provisions of the Act come into force on 1st September 2025—
- (a) section 6 (regulation of duties of registered higher education providers);
 - (b) section 9 (overseas funding) insofar as it is not already in force;
 - (c) section 11 (minor and consequential amendments) insofar as it is not already in force;
 - (d) the Schedule (minor and consequential amendments) insofar as it is not already in force.

25th April 2024

David Johnston
Parliamentary Under Secretary of State
Department for Education

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are the second commencement regulations made under the Higher Education (Freedom of Speech) Act 2023 (c. 16) (“the Act”) and they bring into force those provisions which are not already in force.

Regulation 2 lists those provisions of the Act that come into force on 1st August 2024. Regulation 3 lists those provisions that come into force on 1st September 2025.

A full impact assessment of the effect that the Act will have on the costs of business, the voluntary sector and the public sector is available at https://www.legislation.gov.uk/ukpga/2023/16/pdfs/ukpgaod_20230016_en_001.pdf or from the Department for Education, Sanctuary Buildings, Great Smith Street, London, SW1P 3BT. A further impact assessment has not been produced for this instrument as no additional impact on the private, voluntary or public sector is foreseen.

NOTE AS TO EARLIER COMMENCEMENT REGULATIONS

(This note is not part of the Regulations)

The following provisions of the Higher Education (Freedom of Speech) Act 2023 (c. 16) have been brought into force by commencement Regulations made before the date of these Regulations.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 10	14.08.2023	2023/809
Section 11 (partially)	14.08.2023	2023/809
Paragraph 1 of the Schedule (partially)	14.08.2023	2023/809
Paragraph 12 of the Schedule	14.08.2023	2023/809