



# Higher Education and Research Act 2017

## 2017 CHAPTER 29

### PART 1

#### THE OFFICE FOR STUDENTS

#### *Powers to grant degrees etc*

#### **51 Validation by the OfS**

- (1) If (having regard to advice from the OfS) the Secretary of State considers it necessary or expedient, the Secretary of State may by regulations—
  - (a) authorise the OfS to enter into validation arrangements, and
  - (b) require the OfS to offer to do so with—
    - (i) registered higher education providers generally, or
    - (ii) such registered higher education providers as are specified in the regulations or are of a description so specified.
- (2) Regulations under subsection (1) may authorise the OfS to enter into validation arrangements in respect of—
  - (a) all taught awards, or
  - (b) such taught awards as are specified in the regulations or are of a description so specified.
- (3) Regulations under subsection (1) may require the OfS to offer to enter into validation arrangements subject to conditions specified in the regulations.
- (4) Regulations under subsection (1) may include power for the OfS to authorise authorised registered higher education providers to enter on its behalf into—
  - (a) all the validation arrangements that the OfS is authorised to enter into by the regulations, or
  - (b) such of those validation arrangements as are specified in the regulations or are of a description so specified.

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*Changes to legislation: Higher Education and Research Act 2017, Section 51 is up to date with all changes known to be in force on or before 05 May 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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- (5) But regulations under subsection (1) may not include power for the OfS to authorise a provider to enter on its behalf into validation arrangements which are—
- (a) arrangements in respect of taught awards that the provider is not authorised to grant, or
  - (b) arrangements that the provider is not authorised to enter into.
- (6) Regulations under subsection (1) may include power for the OfS to deprive a person of a taught award granted by or on behalf of the OfS under validation arrangements.
- (7) In this section, “validation arrangements” means arrangements between the OfS and a registered higher education provider under which the OfS—
- (a) grants a taught award to a person who is a student at the provider, or
  - (b) authorises the provider to grant a taught award on behalf of the OfS.
- (8) In this section, “authorised”, in relation to a registered higher education provider, means authorised to grant taught awards, and to enter into validation arrangements, by—
- (a) an authorisation given—
    - (i) under section 42(1),
    - (ii) by or under any other provision of an Act of Parliament, or
    - (iii) by Royal Charter, or
  - (b) an authorisation varied under section 45(1).
- (9) Validation arrangements may provide for—
- (a) the grant of a taught award by the OfS, or
  - (b) the authorisation to grant a taught award on behalf of the OfS,
- to be subject to such conditions as the OfS considers appropriate.

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#### **Commencement Information**

**II** S. 51 in force at 1.8.2019 by S.I. 2018/1226, reg. 4(f)

**Changes to legislation:**

Higher Education and Research Act 2017, Section 51 is up to date with all changes known to be in force on or before 05 May 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.

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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\(6\)](#)