

---

STATUTORY INSTRUMENTS

---

**2018 No. 607**

**EDUCATION, ENGLAND AND WALES**

**The Higher Education and Research Act 2017  
(Cooperation and Information Sharing) Regulations 2018**

<i>Made</i>	- - - -	<i>21st May 2018</i>
<i>Laid before Parliament</i>		<i>23rd May 2018</i>
<i>Coming into force</i>	- -	<i>18th June 2018</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 63(7) and (8) of the Higher Education and Research Act 2017<sup>(1)</sup>:

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Higher Education and Research Act 2017 (Cooperation and Information Sharing) Regulations 2018 and come into force on 18th June 2018.

(2) In these Regulations, “the registrar of companies” has the meaning given by section 1060(3) (the registrar) of the Companies Act 2006<sup>(2)</sup>.

**Commencement Information**

**II** Reg. 1 in force at 18.6.2018, see [reg. 1\(1\)](#)

**Relevant persons and relevant functions**

2. For the purposes of section 63 (cooperation and information sharing) of the Higher Education and Research Act 2017—

- (a) each person listed in column 1 of the table in the Schedule to these Regulations is a ‘relevant person’; and
- (b) a function listed in the corresponding entry in column 2 of that table is a ‘relevant function’ of that person.

---

(1) 2017 c. 29.  
(2) 2006 c. 46.

3. Further to regulation 2(b), where a listed function refers to a company's Memorandum and Articles of Association the reference is to the most recent version of that document registered with the registrar of companies at the date on which these Regulations are made.

**Commencement Information**

- I2** Reg. 2 in force at 18.6.2018, see [reg. 1\(1\)](#)
- I3** Reg. 3 in force at 18.6.2018, see [reg. 1\(1\)](#)

21st May 2018

*Sam Gyimah*  
Minister of State  
Department for Education

## SCHEDULE

Regulation 2

## Relevant persons and relevant functions

**Commencement Information****I4** Sch. in force at 18.6.2018, see [reg. 1\(1\)](#)

<i>Relevant person</i>	<i>Relevant function</i>
Competition and Markets Authority	(a) Its functions under section 215(2) of the Enterprise Act 2002 <sup>(3)</sup> and  (b) Its functions under Part 2 of Schedule 5 to the Consumer Rights Act 2015 <sup>(4)</sup>
A local weights and measures authority in Great Britain	(a) Its functions under section 215(2) of the Enterprise Act 2002  (b) Its functions under Part 2 of Schedule 5 to the Consumer Rights Act 2015 and  (c) Its function under article 9 of the Financial Services Act 2012 (Consumer Credit) Order 2013 <sup>(5)</sup>
[ <sup>F1</sup> NHS England]	[ <sup>F2</sup> Its education and training functions conferred by or under Chapter 1 of Part 3 of the Care Act 2014] <sup>(6)</sup>
Pearson Education Limited (registered company number 00872828)	Its functions pursuant to the objects set out in its Memorandum and Articles of Association <sup>(7)</sup>
Vocational Training Charitable Trust (registered company number 02050044)	Its functions pursuant to the objects set out in its Memorandum and Articles of Association
Gateway Qualifications Company Limited (registered company number 05502449)	Its functions pursuant to the objects set out in its Memorandum and Articles of Association
Scottish Qualifications Authority	Its functions under the Education (Scotland) Act 1996 <sup>(8)</sup>
Her Majesty's Revenue and Customs	Its functions under the Commissioners for Revenue and Customs Act 2005 <sup>(9)</sup>

<sup>(3)</sup> 2002 c. 40.<sup>(4)</sup> 2015 c. 15.<sup>(5)</sup> S.I. 2013/1882.<sup>(6)</sup> 2014 c. 23.<sup>(7)</sup> A company's Memorandum and Articles of Association can be viewed at, and a file in portable document format ('PDF') downloaded free of charge from, the Companies House website ([www.companieshouse.gov.uk](http://www.companieshouse.gov.uk)) by searching the filing history of the company by reference to its registered company number. A paper copy can be obtained for a nominal fee by telephoning Companies House on 0303 1234500, or from any of the offices of Companies House in Belfast, Cardiff, Edinburgh or London. The address of the London office is Companies House, 4 Abbey Orchard Street, Westminster, London SW1P 2HT.<sup>(8)</sup> 1996 c. 43; section 7 was amended by the Scottish Qualifications Authority Act 2002 [asp 14](#) (Scottish Act) section 5(a) and (b).<sup>(9)</sup> 2005 c. 11.

**Changes to legislation:** There are currently no known outstanding effects for the The Higher Education and Research Act 2017 (Cooperation and Information Sharing) Regulations 2018. (See end of Document for details)

<i>Relevant person</i>	<i>Relevant function</i>
Office for Standards in Education, Children's Services and Skills	Its functions under the Education and Inspections Act 2006 <b>(10)</b>
Her Majesty's Chief Inspector of Education, Children's Services and Skills	That person's functions under the Education and Inspections Act 2006
The Office of the Independent Adjudicator for Higher Education (registered company number 04823842)	Its functions pursuant to the objects set out in its Memorandum and Articles of Association
The Board of the Pension Protection Fund	Its functions under section 175 of the Pensions Act 2004 <b>(11)</b>
Student Loans Company Limited (registered company number 02401034)	Its functions pursuant to the objects set out in its Memorandum and Articles of Association

- F1** Words in Sch. substituted (1.4.2023) by [The Health Education England \(Transfer of Functions, Abolition and Transitional Provisions\) Regulations 2023 \(S.I. 2023/368\)](#), reg. 1(2), **Sch. 2 para. 24(a)** (with reg. 7)
- F2** Words in Sch. substituted (1.4.2023) by [The Health Education England \(Transfer of Functions, Abolition and Transitional Provisions\) Regulations 2023 \(S.I. 2023/368\)](#), reg. 1(2), **Sch. 2 para. 24(b)** (with reg. 7)

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations are made under section 63 of the Higher Education and Research Act 2017 (c.29) ("the Act"). Under section 63(2)(a) and (4) of the Act the Office for Students may cooperate, or share information, with a relevant person for the performance of a relevant function of that person. Under section 63(2)(b) the Office for Students must cooperate with a relevant person in the performance of a relevant function if required to do so by the Secretary of State.

Regulation 2 and the table in the Schedule prescribe the relevant persons and their relevant functions. Regulation 3 provides that references in the table to a company's Memorandum and Articles of Association are references to the most recent version of that document registered with the registrar of companies (otherwise known as 'Companies House') on the date on which these Regulations are made.

An impact assessment has not been produced for this instrument as it has no impact on business and civil society organisations. The instrument has no impact on the public sector.

**(10)** 2006 c. 40.

**(11)** 2004 c. 35.

**Changes to legislation:**

There are currently no known outstanding effects for the The Higher Education and Research Act 2017 (Cooperation and Information Sharing) Regulations 2018.