

Draft Regulations laid before Parliament under section 115(2) of the Higher Education and Research Act 2017, for approval by resolution of each House of Parliament.

These Regulations are indicative only and are based on the proposals set out in the White Paper entitled “Success as a Knowledge Economy: Teaching Excellence, Social Mobility & Student Choice” published in May 2016.

D R A F T S T A T U T O R Y I N S T R U M E N T S

2017 No.

EDUCATION, ENGLAND

**The Higher Education (Mandatory Transparency Condition)
(England) Regulations 2017**

Made - - - -

Coming into force in accordance with Regulation 1

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 10(4), 115(2) and 115(5)(d) of the Higher Education and Research Act 2017^(a).

In accordance with section 115(2) of that Act, a draft of these Regulations has been laid before and approved by a resolution of each House of Parliament.

Citation, commencement and application

1. These Regulations may be cited as the Higher Education (Mandatory Transparency Condition) (England) Regulations 2017 and come into force *x* days after the day on which it is made.

2. These Regulations apply in relation to England.

Prescribed description of a registered higher education provider

3. An English higher education provider registered in either the ‘Approved’ or ‘Approved (fee cap)’ part of the register as determined by the Office for Students under section 4(2) of the Higher Education and Research Act 2017 is a registered higher education provider of a prescribed description for the purposes of section 10(1) of that Act.

Minister Name
Minister of State for Universities and Science
Department for Education

[Date]

EXPLANATORY NOTE

(This is not part of the Regulations)

These Regulations set out which category of registered higher education provider must comply with a transparency condition. Such condition is a requirement to provide to the OfS, and publish, information as may be required by the OfS in relation to the number of offers given and accepted, and the number of students who complete their courses (in addition to the applications received) by reference to the gender, ethnicity and socio-economic background of the individuals concerned.

These Regulations are indicative only and are based on the proposals set out in the White Paper(a). Section 4(1) of the Act provides that the OfS must establish and maintain a register of English higher education providers. Categories of registered higher education provider will be determined by the OfS under section 4(2) of the Act which provides that the register may be divided by the OfS into different parts representing such different categories of registration as the OfS may determine. The draft Regulations are based on the proposals set out in the White Paper (b) given that the OfS has yet to come into existence and is therefore not yet able to determine different categories of registered higher education provider under the register.

(a) <https://www.gov.uk/government/publications/higher-education-success-as-a-knowledge-economy-white-paper>

(b) See paragraph 39 of the White Paper (<https://www.gov.uk/government/publications/higher-education-success-as-a-knowledge-economy-white-paper>).