

*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.*

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**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**

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**2017 No.**

**EDUCATION, ENGLAND**

**The Higher Education (Financial Support) (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 38(3) and 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, application and interpretation**

1. These Regulations may be cited as the Higher Education (Financial Support) (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 eligible higher education provider for the purposes of section 38(1) of the Higher Education and Research Act 2017 is an English higher education provider that: -

- (a) is registered in the 'Approved (fee cap)' parts of the register as determined by the OfS for the purposes of section 4 of that Act; and
- (b) has proposed an access and participation plan that has been approved by the OfS for the purposes of section 29 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 is eligible for financial support from the OfS.

*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.*

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(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>).