
DRAFT STATUTORY INSTRUMENTS

2019 No.

**The Higher Education (Monetary Penalties
and Refusal to Renew an Access and
Participation Plan) (England) Regulations 2019**

Notification of refusal to renew a plan: procedure

6.—(1) Where the OfS proposes to give a section 21(2) notification to the governing body of a registered higher education provider it must first inform the governing body that it is minded to do so and give reasons.

(2) Where the OfS has informed the governing body under paragraph (1), it must give the governing body a reasonable time within which the governing body may make representations about the proposal.

(3) Where the governing body makes representations within the time given by the OfS, the OfS must consider those representations in deciding whether to give the governing body a section 21(2) notification.

(4) If after the expiry of the time given by the OfS for representations and the consideration of any such representations, the OfS decides that it will not give the governing body a section 21(2) notification, it must inform the governing body of the provider accordingly.

(5) Regulations 7 and 8 apply where the OfS decides that it will give the governing body a section 21(2) notification.