



Teaching and Higher Education Act 1998

1998 CHAPTER 30

PART IV

MISCELLANEOUS AND GENERAL

Further and higher education institutions: England and Wales

39 Unauthorised use of “university” in title of educational institution, etc.

- (1) A relevant institution in England or Wales shall not, when making available (or offering to make available) educational services, do so under a name which includes the word “university” unless the inclusion of that word in that name is—
 - (a) authorised by or by virtue of any Act or Royal Charter, or
 - (b) approved by the Privy Council for the purposes of this section.
- (2) A person carrying on such an institution shall not, when making available (or offering to make available) educational services through the institution, use with reference either to himself or the institution a name which includes the word “university” unless the inclusion of that word in that name is authorised or approved as mentioned in subsection (1).
- (3) Subsection (1) or (2) applies where the educational services are made available, or (as the case may be) the offer to make such services available is made, in any part of the United Kingdom.
- (4) For the purposes of subsection (1) or (2) the inclusion of the word “university” in any name shall not be taken to be authorised by or by virtue of a Royal Charter relating to a university by reason of any provision of the Charter with respect to—
 - (a) the affiliation or association of other institutions to the university, or
 - (b) the accreditation by the university of educational services provided by other institutions.

Status: Point in time view as at 31/03/2011.

Changes to legislation: Teaching and Higher Education Act 1998, Cross Heading: Further and higher education institutions: England and Wales is up to date with all changes known to be in force on or before 01 August 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)

- (5) In approving the inclusion of the word “university” in any name for the purposes of this section the Privy Council shall have regard to the need to avoid names which are or may be confusing.
- (6) The Privy Council’s power of approval under subsection (1) or (2) shall not be exercisable in a case where the inclusion of the word “university” in the name in question may be authorised by virtue of any other Act or any Royal Charter.
- (7) In this section— “relevant institution” means an institution within the further education sector or the higher education sector as defined by section 91(3) or (5) of the ^{M1}Further and Higher Education Act 1992; “university”, in the context of the reference in subsection (4) to a Royal Charter relating to a university, has the meaning given by section 90(3) of that Act.

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Marginal Citations

M1 1992 c. 13.

40 University college, etc., not to be treated as university.

At the end of section 77(4) of the Further and Higher Education Act 1992 (use of “university” in title of institution), there shall be added “, unless in that name that word is immediately followed by the word “college” or “collegiate”. ”

^{F1}**41 Charitable status of further and higher education corporations.**

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Textual Amendments

F1 S. 41 repealed (31.1.2009) by [Charities Act 2006 \(c. 50\)](#), s. 79(2), [Sch. 9](#); S.I. 2008/3267, art. 2, [Sch.](#) (with [arts. 3-27](#)) (as amended: (29.9.2009) by S.I. 2009/2648, art. 3; (26.7.2010) by S.I. 2010/1942, art. 2; and (1.8.2011) by S.I. 2011/1725, arts. 1(2), 3, [Sch.](#) para. 6)

Status:

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