



# Higher Education and Research Act 2017

## 2017 CHAPTER 29

### PART 3

#### RESEARCH

##### *Supplementary*

#### **109 Predecessor bodies and preservation of symbolic property**

- (1) The following bodies corporate (each a “research council”) cease to exist—
  - (a) the Arts and Humanities Research Council,
  - (b) the Biotechnology and Biological Sciences Research Council,
  - (c) the Economic and Social Research Council,
  - (d) the Engineering and Physical Sciences Research Council,
  - (e) the Medical Research Council,
  - (f) the Natural Environment Research Council,
  - (g) the Science and Technology Facilities Council, and
  - (h) the Technology Strategy Board.
- (2) The Royal Charters establishing the research councils, and any supplemental Royal Charter granted to a council, are revoked.
- (3) A property transfer scheme made by the Secretary of State under Schedule 10 in connection with a research council must, in particular, make provision for the transfer of the symbolic property of the council to UKRI.
- (4) The symbolic property of a research council is—
  - (a) the name of, and any other name used by, the council,
  - (b) any goodwill in a name falling within paragraph (a),
  - (c) any logo or insignia of the council, and
  - (d) any seal of the council.

*Status: Point in time view as at 30/03/2020.*

*Changes to legislation: Higher Education and Research Act 2017, Cross Heading: Supplementary is up to date with all changes known to be in force on or before 08 June 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)*

#### Commencement Information

- I1** S. 109(1)(a)-(d)(f)(h) in force at 31.10.2018 by [S.I. 2018/1054](#), [reg. 2\(a\)](#)
- I2** [S. 109\(1\)\(g\)](#) in force at 30.3.2020 by [S.I. 2020/321](#), [reg. 2\(a\)](#)
- I3** S. 109(2) in force at 31.10.2018 for specified purposes by [S.I. 2018/1054](#), [reg. 2\(b\)](#)
- I4** [S. 109\(2\)](#) in force at 30.3.2020 for specified purposes by [S.I. 2020/321](#), [reg. 2\(b\)](#)
- I5** S. 109(3)(4) in force at 30.3.2018 by [S.I. 2018/241](#), [reg. 3\(b\)](#)

## 110 Amendments to powers to support research

- (1) In section 5 of the Science and Technology Act 1965 (further powers of Secretary of State), after subsection (1) insert—

“(1ZA) The power to give financial support under subsection (1)(a) includes, in particular, power to make a grant, loan or other payment, on such terms and conditions as the relevant authority considers appropriate.

(1ZB) The terms and conditions may, in particular—

- (a) enable the relevant authority to require the repayment, in whole or in part, of sums paid by it if any of the terms and conditions subject to which the sums were paid is not complied with,
- (b) require the payment of interest in respect of any period during which a sum due to the relevant authority in accordance with any of the terms and conditions remains unpaid, and
- (c) require a person to whom financial support is given to provide the relevant authority with any information it requests for the purpose of the exercise of any of its functions.

(1ZC) In subsections (1ZA) and (1ZB), “the relevant authority” means—

- (a) in the case of the power of the Secretary of State to give financial support under subsection (1)(a), the Secretary of State;
- (b) in the case of the power of the Welsh Ministers to give financial support under subsection (1)(a), the Welsh Ministers;
- (c) in the case of the power of the Scottish Ministers to give financial support under subsection (1)(a), the Scottish Ministers.”

- (2) In section 10 of the Higher Education Act 2004 (research in arts and humanities), after subsection (4) insert—

“(5) The powers under this section to give financial support include, in particular, power to make a grant, loan or other payment, on such terms and conditions as the relevant authority considers appropriate.

(6) The terms and conditions may, in particular—

- (a) enable the relevant authority to require the repayment, in whole or in part, of sums paid by it if any of the terms and conditions subject to which the sums were paid is not complied with,
- (b) require the payment of interest in respect of any period during which a sum due to the relevant authority in accordance with any of the terms and conditions remains unpaid, and

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- (c) require a person to whom financial support is given to provide the relevant authority with any information it requests for the purpose of the exercise of any of its functions.
- (7) In subsections (5) and (6), “the relevant authority” means—
- (a) in the case of the power under subsection (1)(a), the Secretary of State;
  - (b) in the case of the power under subsection (2)(a), the Welsh Ministers;
  - (c) in the case of the power under subsection (3)(a), the Scottish Ministers;
  - (d) in the case of the power under subsection (4)(a), the Northern Ireland Department having responsibility for higher education.”

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