



# Higher Education and Research Act 2017

## 2017 CHAPTER 29

### PART 1

#### THE OFFICE FOR STUDENTS

##### *Powers in relation to “university” title*

#### **59 Revocation of authorisation: procedure**

- (1) Before making an order under section 58(1) revoking the authorisation, consent or other approval given to an institution to include the word “university” in its name, the OfS must notify the governing body of the institution of its intention to do so.
- (2) The notice must—
  - (a) specify the OfS’s reasons for proposing to take the step in question,
  - (b) specify the period during which the governing body may make representations about the proposal (“the specified period”), and
  - (c) specify the way in which those representations may be made.
- (3) The specified period must not be less than 28 days beginning with the date on which the notice is received.
- (4) The OfS must have regard to any representations made by the governing body of the institution during the specified period in deciding whether to take the step in question.
- (5) Having decided whether or not to take the step in question, the OfS must notify the governing body of the institution of its decision.
- (6) If the OfS decides to revoke the authorisation, consent or other approval given to an institution to include the word “university” in its name, the notice of the decision must specify the date on which the revocation takes effect under the order to be made under section 58(1).
- (7) The notice must also contain information as to—
  - (a) the rights of appeal, and

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*Status: This is the original version (as it was originally enacted).*

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- (b) the period within which an appeal may be made.
- (8) The order under section 58(1) implementing the decision to revoke the authorisation, consent or other approval may not be made, and the revocation may not take effect, at any time when—
- (a) an appeal under section 60(1)(a) or (b), or a further appeal, could be brought in respect of the decision to revoke, or
  - (b) such an appeal is pending.
- (9) But that does not prevent the order under section 58(1) being made, or the revocation taking effect, if the governing body of the institution notifies the OfS that it does not intend to appeal.
- (10) Where subsection (8) ceases to prevent a revocation taking effect on the date specified under subsection (6), the OfS is to determine a future date on which the revocation takes effect under the order to be made under section 58(1).
- (11) But that is subject to what has been determined on any appeal under section 60(1)(a) or (b), or any further appeal, in respect of the decision to revoke.