



Higher Education and Research Act 2017

2017 CHAPTER 29

PART 1

THE OFFICE FOR STUDENTS

Powers of entry and search

61 Entering and searching premises with a warrant

- (1) Schedule 5 makes provision about powers to enter and search premises in England occupied by supported higher education providers or linked institutions in relation to such providers.
- (2) “Supported higher education provider” means a registered higher education provider which—
 - (a) is funded wholly or partly by a grant, loan or other payment from the OfS under section 39 or 40 (financial support for providers), or
 - (b) provides higher education courses which are designated for the purposes of section 22 of the Teaching and Higher Education Act 1998 (financial support for students) by or under regulations made under that section.
- (3) A “linked institution” in relation to a supported higher education provider means an institution which acts on behalf of the provider in the provision of a higher education course by the provider.

Commencement Information

II S. 61 in force at 1.4.2018 by S.I. 2018/241, reg. 2(g)

Changes to legislation:

Higher Education and Research Act 2017, Section 61 is up to date with all changes known to be in force on or before 08 May 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.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. A1 inserted by 2023 c. 16 s. 1
- s. A4 and cross-heading inserted by 2023 c. 16 s. 2
- s. A5A6 and cross-heading inserted by 2023 c. 16 s. 3
- s. A7 and cross-heading inserted by 2023 c. 16 s. 4
- s. 2(1)(aa)(ab) inserted by 2023 c. 16 s. 5(1)
- s. 2(7A) inserted by 2023 c. 16 Sch. para. 2(3)
- s. 8A inserted by 2023 c. 16 s. 6
- s. 9(3A) inserted by 2022 c. 21 s. 16(2)
- s. 10(3A) inserted by 2023 c. 40 s. 2(2)(a)
- s. 10(6A) inserted by 2023 c. 40 s. 2(2)(b)
- s. 10(7A) inserted by 2023 c. 40 s. 2(2)(c)
- s. 10(7B)(7C) inserted by 2023 c. 40 s. 1(2)(b)
- s. 11(1A)(1B) inserted by 2023 c. 40 s. 2(3)(b)
- s. 11(2)(2A) substituted for s. 11(2) by 2023 c. 40 s. 2(3)(c)
- s. 31(1)(1A) substituted for s. 31(1) by 2023 c. 40 s. 2(4)(a)
- s. 31(2A)(2B) inserted by 2023 c. 40 s. 2(4)(c)
- s. 31(4) inserted by 2023 c. 40 s. 4(4)(e)
- s. 67B(3A) inserted by 2023 c. 16 Sch. para. 5(3)
- s. 67C(3) inserted by 2023 c. 16 Sch. para. 6
- s. 69A and cross-heading inserted by 2023 c. 16 s. 5(2)
- s. 69C inserted by 2023 c. 16 s. 8(1)
- s. 73(1A) inserted by 2023 c. 16 Sch. para. 7(3)
- s. 73(4A) inserted by 2023 c. 16 Sch. para. 7(6)
- s. 85(1A) inserted by 2022 c. 21 s. 16(4)(b)
- s. 119(2)(ha)(hb) inserted by 2023 c. 40 s. 2(6)
- Sch. 2 para. 5(4) inserted by 2023 c. 40 s. 2(7)
- Sch. 2 para. 1-1I substituted for Sch. 2 para. 1 by 2023 c. 40 s. 1(4)
- Sch. 6A inserted by 2023 c. 16 s. 8(2)
- Sch. 7 para. 4(5) inserted by 2023 c. 16 Sch. para. 13(6)