



# Higher Education (Freedom of Speech) Act 2023

## CHAPTER 16

### HIGHER EDUCATION (FREEDOM OF SPEECH) ACT 2023

#### *Duties to protect freedom of speech*

- 1 Duties of registered higher education providers
- 2 Duties of constituent institutions
- 3 Duties of students' unions
- 4 Civil claims

#### *Functions of the Office for Students*

- 5 General functions
- 6 Regulation of duties of registered higher education providers
- 7 Regulation of duties of students' unions
- 8 Complaints scheme
- 9 Overseas funding
- 10 Director for Freedom of Speech and Academic Freedom

#### *General*

- 11 Minor and consequential amendments
- 12 Extent
- 13 Commencement
- 14 Short title

**Changes to legislation:** There are currently no known outstanding effects for the Higher Education (Freedom of Speech) Act 2023. (See end of Document for details)

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- 1 The Higher Education and Research Act 2017 is amended as...
- 2 (1) Section 2 (general duties of the OfS) is amended...
- 3 In section 14 (public interest governance condition), omit subsection (7)....
- 4 (1) Section 36 (duty to protect academic freedom) is amended...
- 5 (1) Section 67B (publication of decision to conduct or terminate...
- 6 In section 67C (protection for defamation claims) after subsection (2)...
- 7 (1) Section 73 (costs recovery) is amended as follows.
- 8 In section 74 (grants from Secretary of State), in subsection...
- 9 (1) Section 75 (regulatory framework) is amended as follows.
- 10 In section 77 (Secretary of State directions), in subsection (2),...
- 11 (1) Section 85 (other definitions) is amended as follows.
- 12 (1) Schedule 1 (the Office for Students) is amended as...
- 13 (1) Schedule 7 (costs recovery etc) is amended as follows....  
PART 2 — COUNTER-TERRORISM AND SECURITY ACT 2015
- 14 The Counter-Terrorism and Security Act 2015 is amended as follows....
- 15 (1) Section 31 (freedom of expression in universities etc) is...
- 16 In section 32 (monitoring of performance: further and higher education...
- 17 In Schedule 6 (list of authorities subject to the duty...  
PART 3 — OTHER ACTS
- 18 In section 43 of the Education (No. 2) Act 1986...
- 19 In Schedule 2 to the Higher Education Act 2004 (conditions...

**Changes to legislation:**

There are currently no known outstanding effects for the Higher Education (Freedom of Speech) Act 2023.