
Changes to legislation: There are currently no known outstanding effects for the Higher Education (Freedom of Speech) Act 2023, Paragraph 9. (See end of Document for details)

SCHEDULE

MINOR AND CONSEQUENTIAL AMENDMENTS

PART 1

HIGHER EDUCATION AND RESEARCH ACT 2017

- 9 (1) Section 75 (regulatory framework) is amended as follows.
- (2) In subsection (3)—
- (a) in paragraph (a), omit the final “and”;
 - (b) after paragraph (b) insert “, and
 - (c) guidance for students’ unions to which sections [A5](#) and [A6](#) apply on their duties under those sections.”
- (3) In subsection (7), after “The guidance” insert “under subsection (3)(b)”.
- (4) After subsection (7) insert—
- “(7A) Guidance under subsection (3)(c) must include guidance for the purpose of helping to determine whether or not students’ unions are complying with their duties under sections [A5](#) and [A6](#).
- (7B) The guidance under subsection (3)(c) may in particular specify—
- (a) what the OfS considers students’ unions need to do to comply with their duties under sections [A5](#) and [A6](#);
 - (b) factors which the OfS will take into account in determining, for the purposes of section 69B, whether or not a students’ union is complying with its duties under those sections.”
- (5) In subsection (8)—
- (a) in paragraph (b), omit the final “and”;
 - (b) after paragraph (b) insert—
- “(ba) in relation to guidance under subsection (3)(c), such bodies appearing to the OfS to represent the interests of students’ unions as the OfS considers appropriate, and”.

Commencement Information

11 [Sch. para. 9](#) in force at 11.7.2023, see [s. 13\(2\)](#)

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