

## Notice of determination of initial and general ongoing conditions of registration

### WHEREAS:

1. Section 5 of the Higher Education and Research Act 2017 (“**HERA**”) provides that:
  - a. the OfS must determine, and may subsequently revise, the initial and general ongoing conditions of registration;
  - b. different conditions may be determined for different descriptions of provider and for registration in different parts of the Register;
  - c. before determining or revising the conditions, the OfS must, if it appears to it appropriate to do so, consult bodies representing the interests of English higher education providers which appear to the OfS to be concerned; and
  - d. the OfS must publish the conditions determined and as revised.
2. Section 75 of HERA provides that the OfS must, from time to time, prepare and publish a regulatory framework which consists of a statement of how it intends to perform its functions and guidance for registered higher education providers (and students' unions). Before publishing a regulatory framework, the OfS is required to consult with the persons and bodies listed in section 75(8).
3. Between 6 February 2025 and 23 April 2025, the OfS consulted on:
  - a. ceasing to apply (to providers submitting new applications for registration) initial conditions of registration E1, E2, C1 and C3, and general ongoing condition of registration C3;
  - b. introducing new initial C and E conditions of registration.
4. The OfS has carefully considered the submissions made on these consultations and has outlined its policy response to these in published documents. The OfS has decided to proceed with its proposals, with some amendments, as explained in ‘Consultation outcomes: Reforms to OfS registration requirement’<sup>2</sup>

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<sup>1</sup> See [Consultation on reforms to OfS registration requirements](#).

<sup>2</sup> See [Consultation outcomes: Reforms to OfS registration requirements](#).

**THEREFORE:**

5. In accordance with the powers contained in sections 5 and 75 of HERA, the OfS has determined that:
- a. the initial conditions of registration E1, E2, C1 and C3 (as set out in the regulatory framework (see version published on 24 November 2022)) and the guidance directly relating to those conditions<sup>3</sup> will cease to apply in respect of any provider that makes an application for registration on or after 28 August 2025.
  - b. the general ongoing condition of registration C3 (as set out in the regulatory framework (see version published on 24 November 2022)) and the guidance directly relating to that condition<sup>4</sup> will cease to apply in respect of any provider that makes an application for registration on or after 28 August 2025, if that provider is granted registration in relation to that application.
  - c. the new initial conditions of registration E7, E8, E9 and C5 and the guidance directly relating to those conditions<sup>5</sup> will apply in respect of any provider that makes an application for registration on or after 28 August 2025.
6. See Tables 1-3 below for how the changes will affect different providers.

**Table 1: Any provider that was registered in the Register of English higher education providers before 28 August 2025 and continues to be registered**

Description of conditions	When conditions apply or cease to apply
General ongoing conditions of registration E1 and E2 <sup>6</sup>	No change – conditions continue to apply
New initial conditions of registration E7, E8 and E9 <sup>7</sup>	Not applicable (see Table 3 for the position if a new application for registration is made for any reason on or after 28 August 2025)
General ongoing conditions of registration C1 and C3 <sup>8</sup>	No change – conditions continue to apply
New initial condition of registration C5 <sup>9</sup>	Not applicable (see Table 3 for the position if a new application for registration is made for any reason on or after 28 August 2025)

<sup>3</sup> As set out in the regulatory framework (see version published on 24 November 2022). See pages 141-143, 146-149 and 161-168.

<sup>4</sup> As set out in the regulatory framework (see version published on 24 November 2022). See pages 146-149.

<sup>5</sup> See [Regulatory framework for higher education in England](#).

<sup>6</sup> As set out in the regulatory framework (see version published on 24 November 2022). See pages 161-168 for these conditions (and associated guidance).

<sup>7</sup> See [Regulatory framework for higher education in England](#).

<sup>8</sup> As set out in the regulatory framework (see version published on 24 November 2022). See pages 141-143 and 146-149 for these conditions (and associated guidance).

<sup>9</sup> See [Regulatory framework for higher education in England](#).

**Table 2: Any provider that made an application for registration before 28 August 2025 which was live<sup>10</sup> as at 27 August 2025 (including any provider covered by the description in Table 1 that for any reason made a new application for registration, for example, an application for registration in a different category of the Register)**

Description of conditions	When conditions apply or cease to apply
Initial conditions of registration E1 and E2 <sup>11</sup>	No change – conditions continue to apply (see Table 3 for the position if a new application for registration is made for any reason on or after 28 August 2025)
General ongoing conditions of registration E1 and E2 <sup>12</sup>	<p>Apply on and from the date a provider applies for registration for the purposes of the OfS's assessment of future risks</p> <p>If the provider is granted registration in the Register of English higher education providers, apply for all purposes on and from the date registration takes effect</p> <p>For the avoidance of doubt, for any provider covered by the descriptions in Table 1 that made a new application for registration (for example, an application for registration in a different category of the Register), these conditions continue to apply</p>
New initial conditions of registration E7, E8 and E9 <sup>13</sup>	Not applicable (see Table 3 for the position if a new application for registration is made for any reason on or after 28 August 2025)
Initial conditions of registration C1 and C3 <sup>14</sup>	No change – conditions continue to apply (see Table 3 for the position if a new application for registration is made for any reason on or after 28 August 2025)
General ongoing conditions of registration C1 and C3 <sup>15</sup>	Apply on and from the date a provider applies for registration for the purposes of the OfS's assessment of future risks

<sup>10</sup> This means that a provider has made an application for registration before 28 August 2025 which, as at 27 August 2025, had not resulted in the OfS making a final decision in relation to one of the following:

- a. granting registration in the Register of English higher education providers;
- b. refusing registration in the Register of English higher education providers; or
- c. permitting the provider to withdraw an application for registration in the Register of English higher education providers.

<sup>11</sup> As set out in the regulatory framework (see version published on 24 November 2022). See pages 161-168 for these conditions (and associated guidance).

<sup>12</sup> As set out in the regulatory framework (see version published on 24 November 2022). See pages 161-168 for these conditions (and associated guidance).

<sup>13</sup> See [Regulatory framework for higher education in England](#).

<sup>14</sup> As set out in the regulatory framework (see version published on 24 November 2022). See pages 141-143 and 146-149 for these conditions (and associated guidance).

<sup>15</sup> As set out in the regulatory framework (see version published on 24 November 2022). See pages 141-143 and 146-149 for these conditions (and associated guidance).

	<p>If the provider is granted registration in the Register of English higher education providers, apply for all purposes on and from the date registration takes effect</p> <p>For the avoidance of doubt, for any provider covered by the descriptions in Table 1 that made a new application for registration (for example, an application for registration in a different category of the Register), these conditions continue to apply</p>
New initial condition of registration C5 <sup>16</sup>	Not applicable (see Table 3 for the position if a new application for registration is made for any reason on or after 28 August 2025)

**Table 3: Any provider that makes an application for registration on or after 28 August 2025 (including any provider covered by the descriptions in Table 1 or Table 2 that for any reason makes a new application for registration, for example, an application for registration in a different category of the Register)**

Description of conditions	When conditions apply or cease to apply
Initial conditions of registration E1 and E2 <sup>17</sup>	Cease to apply at 2359 on 27 August 2025
General ongoing conditions of registration E1 and E2 <sup>18</sup>	<p>Apply on and from the date a provider applies for registration for the purposes of the OfS's assessment of future risks</p> <p>If the provider is granted registration in the Register of English higher education providers, apply for all purposes on and from the date registration takes effect</p> <p>For the avoidance of doubt, for any provider covered by the descriptions in Table 1 that makes a new application for registration (for example, an application for registration in a different category of the Register), these conditions continue to apply</p>
New initial conditions of registration E7, E8 and E9 <sup>19</sup>	Apply on and from the date the provider applies for registration
Initial conditions of registration C1 and C3 <sup>20</sup>	Cease to apply at 2359 on 27 August 2025

<sup>16</sup> See [Regulatory framework for higher education in England](#).

<sup>17</sup> As set out in the regulatory framework (see version published on 24 November 2022). See pages 161-168 for these conditions (and associated guidance).

<sup>18</sup> As set out in the regulatory framework (see version published on 24 November 2022). See pages 161-168 for these conditions (and associated guidance).

<sup>19</sup> See [Regulatory framework for higher education in England](#).

<sup>20</sup> As set out in the regulatory framework (see version published on 24 November 2022). See pages 141-143 and 146-149 for these conditions (and associated guidance).

<p>General ongoing condition of registration C1<sup>21</sup></p>	<p>Applies on and from the date a provider applies for registration for the purposes of the OfS's assessment of future risks</p> <p>If the provider is granted registration in the Register of English higher education providers, applies for all purposes on and from the date registration takes effect</p> <p>For the avoidance of doubt, for any provider covered by the descriptions in Table 1 that makes a new application for registration (for example, an application for registration in a different category of the Register), this condition continues to apply</p>
<p>General ongoing condition of registration C3<sup>22</sup></p>	<p>If the provider is granted registration in the Register of English higher education providers in relation to an application for registration made on or after 28 August 2025, does not apply</p> <p>For the avoidance of doubt, for any provider covered by the descriptions in Table 1 that makes a new application for registration (for example, an application for registration in a different category of the Register), this condition continues to apply pending determination of the application for registration made on or after 28 August 2025</p>
<p>New initial condition of registration C5<sup>23</sup></p>	<p>Applies on and from the date the provider applies for registration</p>

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<sup>21</sup> As set out in the regulatory framework (see version published on 24 November 2022). See pages 141-143 for this condition (and associated guidance).

<sup>22</sup> As set out in the regulatory framework (see version published on 24 November 2022). See pages 146-149 for this condition (and associated guidance).

<sup>23</sup> See [Regulatory framework for higher education in England](#).