



Higher Education Act 2004

CHAPTER 8

HIGHER EDUCATION ACT 2004

PART 1

RESEARCH IN ARTS AND HUMANITIES

- 1 Arts and Humanities Research Council
- 2 Transfer to Council of property etc of Arts and Humanities Research Board
- 3 Expenses of Council
- 4 Returns, reports etc. by Council to Secretary of State
- 5 Pensions
- 6 Accounts and records of Council
- 7 Northern Ireland: reserved matters
- 8 Activities outside United Kingdom
- 9 Charter of Council
- 10 Research in arts and humanities

PART 2

REVIEW OF STUDENT COMPLAINTS

- 11 Qualifying institutions
- 12 Qualifying complaints
- 13 Designation of operator of student complaints scheme
- 14 Duties of designated operator
- 15 Duties of qualifying institutions
- 16 Termination of designation
- 17 Privilege in relation to law of defamation
- 18 Provision where designation of operator to cease
- 19 Extension of time for bringing discrimination proceedings

- 20 Exclusion of visitor's jurisdiction in relation to student complaints
- 21 Interpretation of Part 2

PART 3

STUDENT FEES AND FAIR ACCESS

Introductory

- 22 Meaning of "plan" etc.

Imposition of conditions as to fees

- 23 Duty of Secretary of State to impose condition as to student fees, etc.
- 24 Condition to be imposed by English funding bodies
- 25 Transitional cases in which condition must not allow fees to exceed basic amount
- 26 Regulations under section 24(6) relating to basic or higher amount
- 27 Power of National Assembly for Wales to impose conditions as to student fees, etc.
- 28 Condition that may be required to be imposed by Higher Education Funding Council for Wales
- 29 Sections 23 to 28: supplementary provisions

Plans authorising fees of more than basic amount

- 30 Meaning of "the relevant authority"
- 31 Director of Fair Access to Higher Education
- 32 General duties of relevant authority
- 33 Contents of plans
- 34 Approval of plans
- 35 Duration of plans
- 36 Variation of plans
- 37 Enforcement of plans: England
- 38 Enforcement of plans: Wales
- 39 Review of decisions made by relevant authority

Supplementary

- 40 Provision of information
- 41 Interpretation of Part 3

PART 4

STUDENT SUPPORT

- 42 Effect of bankruptcy
- 43 Other amendments of section 22 of Teaching and Higher Education Act 1998
- 44 Transfer of certain functions to National Assembly for Wales
- 45 Supply of information held by student support authority

PART 5

MISCELLANEOUS AND GENERAL

Staff disputes: jurisdiction of visitor

- 46 Exclusion of visitor's jurisdiction in relation to staff disputes

General

- 47 Orders and regulations
48 General interpretation
49 Consequential amendments
50 Repeals
51 Financial provisions
52 Commencement
53 Extent
54 Short title, etc.

SCHEDULES

SCHEDULE 1 — Conditions to be met by operator of student complaints scheme

- 1 Introduction
2 Suitability
3 Capability

SCHEDULE 2 — Conditions to be met by student complaints scheme

- 1 Introduction.
2 Qualifying institutions
3 Referral of qualifying complaints
4 Individuals to review complaints
5 Review of complaint
6 Recommendation of reviewer if complaint justified
7 Reviewers to notify parties of decisions, recommendations etc.
8 Fees
9 Condition H is that any fees payable under the scheme...
10 Scheme also applying to bodies that are not qualifying institutions
11 Interpretation
12 Power to amend this Schedule

SCHEDULE 3 — Duties of designated operator of student complaints scheme

- 1 Introduction
2 Provision of scheme
3 Publication of scheme
4 Changes to scheme
5 Compliance with scheme
6 Annual report
7 Review
8 Supply of information
9 Period during which the designated operator must comply with duties
10 Duties to publish information: further provision

SCHEDULE 4 — Termination of designation of operator of student complaints scheme

Part 1 — CIRCUMSTANCES IN WHICH DESIGNATION TERMINATED

- 1 Introduction
2 Agreement

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

- 3 In this case the designation is terminated on the date...
- 4 Notice given by the designated operator
- 5 In this case the designation is terminated on the date...
- 6 Notice given by Secretary of State or Assembly
- 7 In this case the designation is terminated on the date...
- 8 Operator ceases to exist
- 9 In this case the designation is terminated on the date...

Part 2 — AGREEMENT MADE OR NOTICE GIVEN UNDER PART 1:
SUPPLEMENTARY PROVISION

- 10 Introduction
- 11 Effect of agreement or notice on provisions of Part 1 of Schedule
- 12 Circumstances in which agreement or notice superseded
- 13 Agreement or notice not capable of variation or cancellation or revocation
- 14 (1) Notice given under paragraph 4 or 6 may not...

SCHEDULE 5 — The Director of Fair Access to Higher Education: supplementary provisions

- 1 Status, appointment and remuneration of Director
- 2 (1) The Director is to hold and vacate office in...
- 3 There are to be paid to the Director such remuneration...
- 4 Staff
- 5 Arrangements with Higher Education Funding Council for England
- 6 Finance
- 7 Reports
- 8 Accounts

SCHEDULE 6 — Consequential amendments

- 1 Public Records Act 1958 (c. 51)
- 2 Parliamentary Commissioner Act 1967 (c. 13)
- 3 Superannuation Act 1972 (c. 11)
- 4 House of Commons Disqualification Act 1975 (c. 24)
- 5 Patents Act 1977 (c. 37)
- 6 Further Education Act 1985 (c. 47)
- 7 Teaching and Higher Education Act 1998 (c. 30)
- 8 In section 28 of the 1998 Act (interpretation of Chapter...
- 9 In section 42 of the 1998 Act (orders and regulations),...
- 10 Freedom of Information Act 2000 (c. 36)

SCHEDULE 7 — Repeals