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## SCHEDULES

### SCHEDULE 4

#### TERMINATION OF DESIGNATION OF OPERATOR OF STUDENT COMPLAINTS SCHEME

#### PART 2

#### AGREEMENT MADE OR NOTICE GIVEN UNDER PART 1: SUPPLEMENTARY PROVISION

##### *Introduction*

- 10 (1) This Part of this Schedule applies where—
- (a) the designated operator and the Secretary of State or the Assembly have made an agreement under paragraph 2,
  - (b) the designated operator has given notice under paragraph 4, or
  - (c) the Secretary of State or the Assembly has given notice under paragraph 6.
- (2) In this Part—
- “original instrument of termination” means the agreement or notice referred to in sub-paragraph (1);
  - “termination date” means the date specified in an agreement under paragraph 2, or notice under paragraph 4 or 6, as the date when the designation in question is to terminate.

##### **Commencement Information**

- I1** Sch. 4 para. 10 in force for E. at 1.11.2004 by S.I. 2004/2781, art. 2  
**I2** Sch. 4 para. 10 in force for W. at 1.12.2004 by S.I. 2004/3144, Sch. Pt. 1

##### *Effect of agreement or notice on provisions of Part 1 of Schedule*

- 11 (1) Where this Part of this Schedule applies—
- (a) the designated operator and the Secretary of State or the Assembly may not make an agreement, or a new agreement, under paragraph 2,
  - (b) the designated operator may not give a notice, or a new notice, under paragraph 4, and
  - (c) the Secretary of State or the Assembly may not—
    - (i) give a notice under paragraph 6 except in accordance with sub-paragraph (2) below, or
    - (ii) give a new notice under paragraph 6.
- (2) The Secretary of State or the Assembly may give a notice under paragraph 6 if—
- (a) the original instrument of termination is—
    - (i) an agreement under paragraph 2, or

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- (ii) a notice under paragraph 4, and
- (b) the termination date specified in the notice under paragraph 6 falls before the termination date specified in the original instrument of termination.

**Commencement Information**

- I3** Sch. 4 para. 11 in force for E. at 1.11.2004 by S.I. 2004/2781, art. 2
- I4** Sch. 4 para. 11 in force for W. at 1.12.2004 by S.I. 2004/3144, Sch. Pt. 1

*Circumstances in which agreement or notice superseded*

- 12 The original instrument of termination is superseded only if—
- (a) notice under paragraph 6 is given in accordance with paragraph 11(2), or
  - (b) the designation in question is terminated in accordance with paragraph 8 (operator ceases to exist).

**Commencement Information**

- I5** Sch. 4 para. 12 in force for E. at 1.11.2004 by S.I. 2004/2781, art. 2
- I6** Sch. 4 para. 12 in force for W. at 1.12.2004 by S.I. 2004/3144, Sch. Pt. 1

*Agreement or notice not capable of variation or cancellation or revocation*

- 13 (1) An agreement made under paragraph 2 may not be varied or cancelled.
- (2) Accordingly such an agreement continues in force until—
- (a) the designation is terminated in accordance with the agreement, or
  - (b) the agreement is superseded in accordance with paragraph 12.

**Commencement Information**

- I7** Sch. 4 para. 13 in force for E. at 1.11.2004 by S.I. 2004/2781, art. 2
- I8** Sch. 4 para. 13 in force for W. at 1.12.2004 by S.I. 2004/3144, Sch. Pt. 1

- 14 (1) Notice given under paragraph 4 or 6 may not be varied or revoked.
- (2) Accordingly such notice continues in force until—
- (a) the designation is terminated in accordance with the notice, or
  - (b) the notice is superseded in accordance with paragraph 12.

**Commencement Information**

- I9** Sch. 4 para. 14 in force for E. at 1.11.2004 by S.I. 2004/2781, art. 2
- I10** Sch. 4 para. 14 in force for W. at 1.12.2004 by S.I. 2004/3144, Sch. Pt. 1

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**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):

- s. 11(1) s. 11 renumbered as s. 11(1) by [2022 asc 1 s. 128\(2\)\(a\)](#)
- s. 11(1)(a) words substituted by [2022 asc 1 Sch. 4 para. 16\(2\)](#)
- s. 11(2)-(5) inserted by [2022 asc 1 s. 128\(2\)\(b\)](#)
- s. 12(2A) inserted by [2022 asc 1 s. 128\(3\)\(a\)](#)
- Sch. 2 para. 3(2)(d) inserted by [2023 c. 16 Sch. para. 19](#)