



Higher Education Act 2004

2004 CHAPTER 8

PART 2

REVIEW OF STUDENT COMPLAINTS

11 Qualifying institutions

In this Part “qualifying institution” means any of the following institutions^{F1}...—

- (a) a university [^{F2}in England or Wales] (whether or not receiving financial support under section 65 of the 1992 Act [^{F3}or section 39 or 93 of the Higher Education and Research Act 2017 (“the 2017 Act”)]) whose entitlement to grant awards is conferred or confirmed by—
 - (i) an Act of Parliament,
 - (ii) a Royal Charter, or
 - (iii) an order under section 76 of the 1992 Act [^{F4}or section 42 or 45 of the 2017 Act];
- (b) a constituent college, school or hall or other institution [^{F5}in England or Wales] of a university falling within paragraph (a);
- (c) an institution [^{F6}in England or Wales] conducted by a higher education corporation;
- (d) [^{F7}an institution in Wales which is] a designated institution, as defined by section 72(3) of the 1992 Act.
- [^{F8}(da) an institution in England which is a registered higher education provider as defined by section 85 of the 2017 Act (other than one within paragraph (a), (b), (c) or (d) of this section);]
- [^{F9}(e) an institution [^{F10}in England or Wales] (other than one within [^{F11}any of the preceding paragraphs] of this section) which provides higher education courses which are designated for the purposes of section 22 of the 1998 Act by or under regulations under that section;
- [^{F12}(ea) an institution in England (other than one within any of the preceding paragraphs of this section) which provides higher education courses leading to the grant of an award by or on behalf of—

Changes to legislation: Higher Education Act 2004, Section 11 is up to date with all changes known to be in force on or before 12 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (i) another institution in England within another paragraph of this section, or
- (ii) the Office for Students where the grant is authorised by regulations under section 51(1) of the 2017 Act;]
- (f) an institution [^{F13}in England or Wales] (other than one within another paragraph of this section) whose entitlement to grant awards is conferred by an order under section 76(1) of the 1992 Act [^{F14}or section 42 or 45 of the 2017 Act].]

Textual Amendments

- F1** Words in s. 11 omitted (1.4.2018) by virtue of Higher Education and Research Act 2017 (c. 29), ss. **89(2)(a)**, 124(5); S.I. 2018/241, reg. 2(l)
- F2** Words in s. 11(a) inserted (1.4.2018) by Higher Education and Research Act 2017 (c. 29), ss. **89(2)(b)(i)**, 124(5); S.I. 2018/241, reg. 2(l)
- F3** Words in s. 11(a) inserted (1.4.2018) by Higher Education and Research Act 2017 (c. 29), ss. **89(2)(b)(ii)**, 124(5); S.I. 2018/241, reg. 2(l)
- F4** Words in s. 11(a)(iii) inserted (1.4.2018) by Higher Education and Research Act 2017 (c. 29), ss. **89(2)(c)**, 124(5); S.I. 2018/241, reg. 2(l)
- F5** Words in s. 11(b) inserted (1.4.2018) by Higher Education and Research Act 2017 (c. 29), ss. **89(2)(d)**, 124(5); S.I. 2018/241, reg. 2(l)
- F6** Words in s. 11(c) inserted (1.4.2018) by Higher Education and Research Act 2017 (c. 29), ss. **89(2)(e)**, 124(5); S.I. 2018/241, reg. 2(l)
- F7** Words in s. 11(d) inserted (1.4.2018) by Higher Education and Research Act 2017 (c. 29), ss. **89(2)(f)**, 124(5); S.I. 2018/241, reg. 2(l)
- F8** S. 11(da) inserted (1.4.2018) by Higher Education and Research Act 2017 (c. 29), ss. **89(2)(g)**, 124(5); S.I. 2018/241, reg. 2(l)
- F9** S. 11(e)(f) inserted (1.9.2015) by Consumer Rights Act 2015 (c. 15), ss. **89(2)**, 100(5); S.I. 2015/1575, art. 2 (with art. 3); S.I. 2015/1605, art. 2 (with art. 3); S.I. 2015/1575, art. 2 (with art. 3); S.I. 2015/1605, art. 2 (with art. 3)
- F10** Words in s. 11(e) inserted (1.4.2018) by Higher Education and Research Act 2017 (c. 29), ss. **89(2)(h)(i)**, 124(5); S.I. 2018/241, reg. 2(l)
- F11** Words in s. 11(e) substituted (1.4.2018) by Higher Education and Research Act 2017 (c. 29), ss. **89(2)(h)(ii)**, 124(3); S.I. 2018/241, reg. 2(l); S.I. 2018/415, reg. 2(b)
- F12** S. 11(ea) inserted (1.4.2018) by Higher Education and Research Act 2017 (c. 29), ss. **89(2)(i)**, 124(5); S.I. 2018/241, reg. 2(l)
- F13** Words in s. 11(f) inserted (1.4.2018) by Higher Education and Research Act 2017 (c. 29), ss. **89(2)(j)(i)**, 124(5); S.I. 2018/241, reg. 2(l)
- F14** Words in s. 11(f) inserted (1.4.2018) by Higher Education and Research Act 2017 (c. 29), ss. **89(2)(j)(ii)**, 124(5); S.I. 2018/241, reg. 2(l)

Commencement Information

- I1** S. 11 in force for E. at 1.11.2004 by S.I. 2004/2781, **art. 2**
- I2** S. 11 in force for W. at 1.12.2004 by S.I. 2004/3144, **Sch. Pt. 1**

Changes to legislation:

Higher Education Act 2004, Section 11 is up to date with all changes known to be in force on or before 12 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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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](#)