



# Higher Education Act 2004

## 2004 CHAPTER 8

### PART 2

#### REVIEW OF STUDENT COMPLAINTS

#### **13 Designation of operator of student complaints scheme**

- (1) The Secretary of State may, for the purposes of this Part, designate a body corporate as the designated operator for England as from a date specified in the designation.
- (2) The Assembly may, for the purposes of this Part, designate a body corporate as the designated operator for Wales as from a date specified in the designation.
- (3) The Secretary of State or the Assembly may not designate a body under subsection (1) or (2) unless he or the Assembly is satisfied that the body—
  - (a) meets all of the conditions set out in Schedule 1,
  - (b) is providing a scheme for the review of qualifying complaints that meets all of the conditions set out in Schedule 2, or is proposing to provide such a scheme from a date not later than the effective date,
  - (c) has consulted interested parties about the provisions of that scheme, and
  - (d) consents to the designation.
- (4) If a body is designated under subsection (1) or (2) the Secretary of State or the Assembly must, before the effective date,—
  - (a) give the body notice of the designation, and
  - (b) publish notice of the designation in such manner as he or the Assembly thinks fit.
- (5) In this Part—
  - (a) “the effective date”, in relation to the designation of a body corporate under this section, means the date specified in the designation as the date from which the body is designated as designated operator, and
  - (b) any reference to the designated operator is—

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*Changes to legislation: Higher Education Act 2004, Section 13 is up to date with all changes known to be in force on or before 29 February 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*

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- (i) in relation to an institution in England, a reference to the body designated under subsection (1), and
- (ii) in relation to an institution in Wales, a reference to the body designated under subsection (2).

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**Commencement Information**

- I1** S. 13 in force for E. at 1.11.2004 by [S.I. 2004/2781](#), **art. 2**
- I2** S. 13 in force for W. at 1.12.2004 by [S.I. 2004/3144](#), **Sch. Pt. 1**

**Changes to legislation:**

Higher Education Act 2004, Section 13 is up to date with all changes known to be in force on or before 29 February 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](#)