

2006 No. 51 (C. 1)

EDUCATION

**The Higher Education Act 2004 (Commencement No. 4) Order
2006**

Made - - - -

11th January 2006

The Secretary of State for Education and Skills makes the following Order in exercise of the powers conferred by section 52(2) and (6) of the Higher Education Act 2004(a).

Citation and Interpretation

1.—(1) This Order may be cited as the Higher Education Act 2004 (Commencement No. 4) Order 2006.

(2) In this Order “the 2004 Act” means the Higher Education Act 2004.

Provisions coming into force

2. The following provisions of the 2004 Act shall come into force on 14 January 2006:

Section 23;

Section 24 to the extent that it is not already in force;

Section 25;

Section 43;

Section 45;

Section 49 to the extent that that it relates to the provision of Schedule 6 specified below;

Paragraph 7 to 9 of Schedule 6 in relation to England;

Section 50 to the extent that it relates to the provisions of Schedule 7 specified below; and

in Schedule 7, in the Teaching and Higher Education Act 1998, the repeal

of—

section 22, subsection (7) and, in subsection (8), the words “or (7)(a)”,

section 26 in relation to England, and

in section 28(1), in relation to England, the definitions of “fees” and “publicly funded institution”.

11th January 2006

Bill Rammell
Minister of State
Department for Education and Skills

EXPLANATORY NOTE

(This note is not part of the Order)

This Order is the fourth Commencement Order made by the Secretary of State for Education and Skills under the Higher Education Act 2004 and brings into force certain provisions of that Act on 14 January 2005.

Article 2 commences provisions concerning the imposition by the Secretary of State of conditions to control fees at higher education institutions. It also commences the power of the Secretary of State to make regulations concerning the supply of student support information by a student support authority.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of this Act have been brought into force by a commencement order made before the date of this order.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 1	16 December 2004	2004/3255
Section 2	1 April 2005	2005/767
Sections 3 to 9	16 December 2004	2004/3255
Section 10(1) and (4)	16 December 2004	2004/3255
Sections 11 to 18, as to England	1 November 2004	2004/2781
Section 19	1 November 2004	2004/2781
Section 20, as to England	1 January 2005	2004/2781
Section 21, as to England	1 November 2004	2004/2781
Section 32(2) and (3), as to England	1 November 2004	2004/2781
Sections 35 and 36, as to England	1 November 2004	2004/2781
Section 37	1 November 2004	2004/2781
Section 46, as to England	1 January 2005	2004/2781
Section 49 (partially)	16 December 2004	2004/3255
(partially)	1 April 2005	2005/767
Section 50 (partially), as to England	1 January 2005	2004/2781
(partially)	1 April 2005	2005/767
Schedules 1 to 4, as to England	1 November 2004	2004/2781
In Schedule 6: paragraphs 2, 4 to 6 and 10	16 December 2004	2004/3255
In Schedule 6: paragraph 3	1 April 2005	2005/767
Schedule 7 (partially)	1 January 2005	2004/2781
(partially)	1 April 2005	2004/767

Certain provisions of the Act were commenced in relation to Wales by the Higher Education Act 2004 (Commencement No 1 and Transitional Provision) (Wales) Order 2004 SI 2004/3144 and Higher Education Act 2004 (Commencement No 2 and Transitional Provision) (Wales) Order 2005 SI 2005/1833.

Section 10(3) has been brought into force in relation to Scotland by Higher Education Act 2004 (Commencement No 1) (Scotland) Order 2005 SSI 2005/33.

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