



# Higher Education Act 2004

## 2004 CHAPTER 8

### PART 5

#### MISCELLANEOUS AND GENERAL

##### *General*

#### **52 Commencement**

- (1) The following provisions come into force on the passing of this Act—
- section 22, so far as relating to England;
  - section 24(6), so far as enabling regulations to be made;
  - section 26;
  - section 29, so far as relating to England;
  - section 30(1), so far as relating to England;
  - section 31;
  - section 32(1);
  - sections 33 and 34, so far as relating to England;
  - sections 35 to 37, so far as enabling regulations to be made in relation to England;
  - section 39, so far as relating to England;
  - section 40;
  - section 41, so far as relating to England;
  - section 42;
  - sections 47 and 48;
  - section 51, this section and sections 53 and 54;
  - Schedule 5; and
  - paragraph 1 of Schedule 6 and, so far as relating to the Director of Fair Access to Higher Education, paragraphs 4 and 10 of that Schedule (and section 49 so far as relating to those provisions).

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*Status: This is the original version (as it was originally enacted).*

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- (2) The following provisions (so far as not coming into force in accordance with subsection (1)) come into force in accordance with provision made by the Secretary of State by order—
- Part 1, except section 10(2) and (3);
  - section 19;
  - section 23;
  - section 37;
  - section 43;
  - section 45;
  - paragraphs 2 to 6 and 9 and 10 of Schedule 6 (and section 49 so far as relating to those paragraphs); and
  - in Schedule 7, the repeals in the Superannuation Act 1972 (c. 11) and in section 22 of the 1998 Act (and section 50 so far as relating to those repeals).
- (3) The following provisions come into force in accordance with provision made by the Assembly by order—
- section 10(2);
  - sections 27 and 28;
  - section 30(2) and (3);
  - section 32(4);
  - section 38; and
  - section 44.
- (4) The Assembly may not make an order under subsection (3) in relation to section 44 except with the agreement of the Secretary of State.
- (5) Section 10(3) comes into force in accordance with provision made by the Scottish Ministers by order.
- (6) Except as provided by subsections (1) to (5), the provisions of this Act come into force—
- (a) in relation to England, in accordance with provision made by the Secretary of State by order, and
  - (b) in relation to Wales, in accordance with provision made by the Assembly by order.