



Higher Education Act 2004

CHAPTER 8

HIGHER EDUCATION ACT 2004

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SCHEDULES

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Introduction

- 1 This Schedule sets out the conditions referred to in section...

Suitability

- 2 Condition A is that the body corporate is a suitable...

Capability

- 3 Condition B is that the body corporate is capable of...

SCHEDULE 2 — Conditions to be met by student complaints scheme

Introduction.

- 1 This Schedule sets out the conditions referred to in section...

Qualifying institutions

- 2 Condition A is that at any given time the scheme...

Referral of qualifying complaints

- 3 (1) Condition B is that the scheme provides that every...

Individuals to review complaints

- 4 Condition C is that the scheme requires every qualifying complaint...

Review of complaint

- 5 (1) Condition D is that the scheme requires a reviewer—...

Recommendation of reviewer if complaint justified

- 6 Condition E is that the scheme provides that, in a...

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Reviewers to notify parties of decisions, recommendations etc.

7 Condition F is that the scheme requires a reviewer to...

Fees

8 Condition G is that the scheme does not require complainants...

9 Condition H is that any fees payable under the scheme...

Scheme also applying to bodies that are not qualifying institutions

10 (1) A scheme does not fail to meet the conditions...

Interpretation

11 In this Schedule— “complainant” means the person making a qualifying...

Power to amend this Schedule

12 (1) Regulations may amend the preceding provisions of this Schedule....

SCHEDULE 3 — Duties of designated operator of student complaints scheme

Introduction

1 This Schedule sets out the duties referred to in section...

Provision of scheme

2 The designated operator must provide a scheme for the review...

Publication of scheme

3 The designated operator must publish the latest version of the...

Changes to scheme

4 The designated operator must not make any change to a...

Compliance with scheme

5 The designated operator must comply with any requirements that the...

Annual report

6 (1) The designated operator must— (a) produce an annual report...

Review

7 (1) This paragraph applies if the Secretary of State or...

Supply of information

8 The designated operator must provide the Secretary of State or...

Period during which the designated operator must comply with duties

9 (1) The duties set out in this Schedule apply from...

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Duties to publish information: further provision

10 Where by virtue of this Schedule the designated operator is...

SCHEDULE 4 — Termination of designation of operator of student complaints scheme

Part 1 — CIRCUMSTANCES IN WHICH DESIGNATION TERMINATED

Introduction

1 This Part of this Schedule sets out the circumstances in...

Agreement

2 The designation is terminated if the designated operator and the...

3 In this case the designation is terminated on the date...

Notice given by the designated operator

4 (1) The designation is terminated if the designated operator gives...

5 In this case the designation is terminated on the date...

Notice given by Secretary of State or Assembly

6 (1) The designation is terminated if the Secretary of State...

7 In this case the designation is terminated on the date...

Operator ceases to exist

8 The designation is terminated if the designated operator ceases to...

9 In this case the designation is terminated on the date...

Part 2 — AGREEMENT MADE OR NOTICE GIVEN UNDER PART 1:
SUPPLEMENTARY PROVISION

Introduction

10 (1) This Part of this Schedule applies where—

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

11 (1) Where this Part of this Schedule applies—

Circumstances in which agreement or notice superseded

12 The original instrument of termination is superseded only if—

Agreement or notice not capable of variation or cancellation or revocation

13 (1) An agreement made under paragraph 2 may not be...

14 (1) Notice given under paragraph 4 or 6 may not...

SCHEDULE 5 — The Director of Fair Access to Higher Education: supplementary provisions

Status, appointment and remuneration of Director

1 The Director and his staff are not to be regarded...

2 (1) The Director is to hold and vacate office in...

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3 There are to be paid to the Director such remuneration...

Staff

4 (1) The Director may appoint such staff as he may...

Arrangements with Higher Education Funding Council for England

5 The Director and the Higher Education Funding Council for England...

Finance

6 The Secretary of State may make payments to the Director....

Reports

7 (1) The Director must provide to the Secretary of State,...

Accounts

8 (1) It is the duty of the Director—

SCHEDULE 6 — Consequential amendments

Public Records Act 1958 (c. 51)

1 In Schedule 1 to the Public Records Act 1958 (definition...

Parliamentary Commissioner Act 1967 (c. 13)

2 In Schedule 2 to the Parliamentary Commissioner Act 1967 (departments...

Superannuation Act 1972 (c. 11)

3 In Schedule 1 to the Superannuation Act 1972 (which lists...

House of Commons Disqualification Act 1975 (c. 24)

4 In Schedule 1 to the House of Commons Disqualification Act...

Patents Act 1977 (c. 37)

5 In section 41 of the Patents Act 1977 (amount of...

Further Education Act 1985 (c. 47)

6 In section 2 of the Further Education Act 1985 (power...

Teaching and Higher Education Act 1998 (c. 30)

7 Omit section 26 of the 1998 Act (imposition of conditions...

8 In section 28 of the 1998 Act (interpretation of Chapter...

9 In section 42 of the 1998 Act (orders and regulations),...

Freedom of Information Act 2000 (c. 36)

10 In Schedule 1 to the Freedom of Information Act 2000...

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SCHEDULE 7 — Repeals

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Changes and effects yet to be applied to :

- s. 12(3) words substituted by [2022 asc 1 s. 128\(3\)\(b\)](#)
- s. 20A(4) words substituted by [2022 asc 1 Sch. 4 para. 16\(3\)](#)

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](#)