

*These notes refer to the Higher Education Act 2004  
(c.8) which received Royal Assent on 1 July 2004*

# HIGHER EDUCATION ACT 2004

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS AND SCHEDULES

#### **Part 5 – Miscellaneous and General**

70. This Part contains general provisions including those relating to the exercise of powers to make orders and regulations; commencement; extent; and short title.
71. These include provision at section 46 which excludes from the visitor's jurisdiction all staff disputes related to employment and such other staff disputes as could be brought before a court or tribunal (including by an application for judicial review). The matters excluded cover the substance of such disputes and the application to them of the internal laws of the institution concerned (including the application and interpretation of its statutes). This provision supersedes the more limited exclusion in section 206 of the Education Reform Act 1988.