



Higher Education Act 2004

2004 CHAPTER 8

PART 1

RESEARCH IN ARTS AND HUMANITIES

1 Arts and Humanities Research Council

In this Part “the Arts and Humanities Research Council” means a body to be established by Royal Charter wholly or mainly for objects consisting of, or comprised in, the following—

- (a) carrying out, facilitating, encouraging and supporting—
 - (i) research in the arts and humanities, and
 - (ii) instruction in the arts and humanities,
- (b) advancing and disseminating knowledge in, and promoting understanding of, the arts and humanities,
- (c) promoting awareness of the body’s activities, and
- (d) providing advice on matters relating to the body’s activities.

2 Transfer to Council of property etc of Arts and Humanities Research Board

- (1) All property, rights and liabilities to which the Arts and Humanities Research Board is entitled or subject immediately before the appointed day become, by virtue of this section, property, rights and liabilities of the Arts and Humanities Research Council on that day.
- (2) Where rights and liabilities under a contract of employment are transferred by virtue of subsection (1), the contract has effect from the appointed day as if originally made between the employee and the Council.
- (3) In this section “the appointed day” means the day appointed under section 52(2) for the commencement of this section.

Status: This is the original version (as it was originally enacted).

3 Expenses of Council

- (1) The Secretary of State may pay the Arts and Humanities Research Council such sums as he determines in respect of the expenses that the Council has incurred, or expects to incur, in carrying out the objects listed in section 1.
- (2) Subsection (1) applies whether the Council has incurred, or expects to incur, the expenses in the United Kingdom or elsewhere.
- (3) The Council must comply with any direction of the Secretary of State as to the use or expenditure of payments made under subsection (1).
- (4) The Council must give the Secretary of State programmes and estimates of its expenses.
- (5) Programmes and estimates under subsection (4) must be given—
 - (a) in the form required by the Secretary of State, and
 - (b) at the times required by the Secretary of State.

4 Returns, reports etc. by Council to Secretary of State

- (1) The Arts and Humanities Research Council must give the Secretary of State such returns, accounts and other information relating to its property and activities as the Secretary of State requires.
- (2) As soon as possible after the end of each financial year, the Council must give the Secretary of State a report on the performance of its functions during that year.
- (3) The Secretary of State must lay a copy of any report given under subsection (2) before each House of Parliament.
- (4) The copy of a report laid in accordance with subsection (3) may include any comments which the Secretary of State has on the report.
- (5) In this section “financial year” means a period of 12 months ending with 31st March.

5 Pensions

- (1) Employment by the Arts and Humanities Research Council is included in the kinds of employment to which a scheme under section 1 of the Superannuation Act 1972 (c. 11) can apply.
- (2) Accordingly, in the appropriate place in the list of Other Bodies in Schedule 1 to that Act (which lists the kinds of employment etc. to which a scheme can apply) there is inserted “The Arts and Humanities Research Council”.
- (3) The Arts and Humanities Research Council must pay to the Minister for the Civil Service, at such times as the Minister may direct, such sums as the Minister may determine in respect of the increase attributable to subsection (1) in the sums payable under that Act out of money provided by Parliament.

6 Accounts and records of Council

- (1) The Arts and Humanities Research Council must keep proper accounts and other records.

- (2) The Council must give the Secretary of State a statement of accounts in relation to each financial year.
- (3) A statement of accounts under subsection (2) must be given—
 - (a) in the form required by the Secretary of State, and
 - (b) at the time required by the Secretary of State.
- (4) The Secretary of State must transmit each statement of accounts given under subsection (2) to the Comptroller and Auditor General on or before 30th November following the end of the financial year to which the statement relates.
- (5) The Comptroller and Auditor General must—
 - (a) examine and certify each statement of accounts transmitted under subsection (4), and
 - (b) lay before each House of Parliament—
 - (i) a copy of the accounts, and
 - (ii) a report on the accounts.
- (6) In this section “financial year” has the same meaning as in section 4.

7 Northern Ireland: reserved matters

In Schedule 3 to the Northern Ireland Act 1998 (c. 47) (reserved matters), after paragraph 35 there is inserted—

“35A. The Arts and Humanities Research Council (as defined by section 1 of the Higher Education Act 2004).”

8 Activities outside United Kingdom

Nothing in this Part restricts the activities of the Arts and Humanities Research Council to the United Kingdom or any part of the United Kingdom.

9 Charter of Council

Nothing in this Part affects—

- (a) any power to amend or revoke the charter of the Arts and Humanities Research Council, or
- (b) the operation of any amendment made to the charter of the Council.

10 Research in arts and humanities

- (1) The Secretary of State may—
 - (a) carry out or support research in the arts and humanities,
 - (b) disseminate the results of research in the arts and humanities,
 - (c) further the practical application of the results of research in the arts and humanities,
 - (d) establish advisory bodies for the purpose of assisting the Secretary of State in matters connected with research in the arts and humanities, and

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- (e) if the Secretary of State establishes such a body, appoint its members on terms which include the payment of remuneration, allowances or pension benefits to or in respect of them.
- (2) The National Assembly for Wales (in this Act referred to as “the Assembly”) may, in relation to Wales,—
- (a) carry out or support research in the arts and humanities,
 - (b) disseminate the results of research in the arts and humanities,
 - (c) further the practical application of the results of research in the arts and humanities,
 - (d) establish advisory bodies for the purpose of assisting the Assembly in matters connected with research in the arts and humanities, and
 - (e) if the Assembly establishes such a body, appoint its members on terms which include the payment of remuneration, allowances or pension benefits to or in respect of them.
- (3) The Scottish Ministers may, in relation to Scotland,—
- (a) carry out or support research in the arts and humanities,
 - (b) disseminate the results of research in the arts and humanities,
 - (c) further the practical application of the results of research in the arts and humanities,
 - (d) establish advisory bodies for the purpose of assisting the Scottish Ministers in matters connected with research in the arts and humanities, and
 - (e) if the Scottish Ministers establish such a body, appoint its members on terms which include the payment of remuneration, allowances or pension benefits to or in respect of them.
- (4) The Northern Ireland Department having responsibility for higher education may, in relation to Northern Ireland,—
- (a) carry out or support research in the arts and humanities,
 - (b) disseminate the results of research in the arts and humanities,
 - (c) further the practical application of the results of research in the arts and humanities,
 - (d) establish advisory bodies for the purpose of assisting the Department in matters connected with research in the arts and humanities, and
 - (e) if the Department establishes such a body, appoint its members on terms which include the payment of remuneration, allowances or pension benefits to or in respect of them.