



Higher Education Act 2004

2004 CHAPTER 8

PART 2

REVIEW OF STUDENT COMPLAINTS

[^{F1}20A Institutions that cease to be qualifying institutions

- (1) An institution that ceases to be a qualifying institution is a “transitional institution” during the shorter of—
 - (a) the period of 12 months beginning with the day on which it ceases to be a qualifying institution, and
 - (b) the period beginning with that day and ending when it becomes a qualifying institution again,(and the shorter period is referred to in this section as “the transitional period”).
- (2) For the purposes of this Part, a transitional institution is to be treated as continuing to be a qualifying institution during the transitional period, subject to subsection (3).
- (3) A complaint is not a qualifying complaint to the extent that it is about an act or omission of a transitional institution which occurred on or after the day on which the transitional period began.
- (4) In section 12(3) (power of designated operator to determine when certain complaints are qualifying complaints), the reference to a qualifying institution within paragraph (da), (e), (ea) or (f) of section 11 includes a transitional institution that was a qualifying institution within the paragraph in question immediately before the beginning of the transitional period.]

Textual Amendments

- F1** S. 20A inserted (1.4.2018) by [Higher Education and Research Act 2017 \(c. 29\), ss. 89\(4\), 124\(3\)](#); [S.I. 2018/241, reg. 2\(1\)](#); [S.I. 2018/415, reg. 2\(b\)](#)

Changes to legislation:

Higher Education Act 2004, Section 20A is up to date with all changes known to be in force on or before 12 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- 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](#)