



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).

Changes to legislation: Higher Education Act 2004, Section 52 is up to date with all changes known to be in force on or before 07 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. (See end of Document for details) View outstanding changes

- (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.

Changes to legislation:

Higher Education Act 2004, Section 52 is up to date with all changes known to be in force on or before 07 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.

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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](#)