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STATUTORY INSTRUMENTS

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**2004 No. 3255 (C.145)**

**EDUCATION, UNITED KINGDOM**

The Higher Education Act 2004  
(Commencement No. 2) Order 2004

Made - - - - 9th December 2004

In exercise of the powers conferred by section 52(2) of the Higher Education Act 2004<sup>(1)</sup>, the Secretary of State hereby make the following Order:

**Citation and Interpretation**

1.—(1) This Order may be cited as the Higher Education Act 2004 (Commencement No. 2) Order 2004.

(2) In this Order “the 2004 Act” means the Higher Education Act 2004.

**Provisions coming into force**

2. The following provisions of the 2004 Act shall come into force on 16 December 2004;
- Section 1;
  - Sections 3 to 9;
  - Section 10(1) and (4);
  - Section 49 to the extent it relates to the provisions of Schedule 6 specified below; and
  - Paragraphs 2, 4 to 6 and 10 of Schedule 6 to the extent that they are not already in force.

9th December 2004

*Kim Howells*  
Minister of State  
Department for Education and Skills

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order is the second Commencement Order made under the Higher Education Act 2004 and brings into force certain provisions of that Act on 16 December 2004.

**3.** Article 2 commences provisions concerning the Arts and Humanities Research Council. It also commences the subsections concerning the powers of the Secretary of State, and in Northern Ireland, the Northern Ireland Department, in relation to research in the arts and humanities.

### NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the order)

The following provisions of this Act have been brought into force (or come into force at a later date) by a commencement order made before the date of this order.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. Number</i>
Sections 11 to 18, as to England	1 November 2004	<a href="#">2004/2781</a>
Section 19	1 November 2004	<a href="#">2004/2781</a>
Section 20, as to England	1 January 2005	<a href="#">2004/2781</a>
Section 21, as to England	1 November 2004	<a href="#">2004/2781</a>
Section 32(2) and (3), as to England	1 November 2004	<a href="#">2004/2781</a>
Sections 35 and 36, as to England	1 November 2004	<a href="#">2004/2781</a>
Section 37	1 November 2004	<a href="#">2004/2781</a>
Section 46, as to England	1 January 2005	<a href="#">2004/2781</a>
Section 50 (partially), as to England	1 January 2005	<a href="#">2004/2781</a>
Schedules 1 to 4, as to England	1 November 2004	<a href="#">2004/2781</a>
In Schedule 7: the repeal of Section 206 and in section 207(1), paragraph (c) and the word “or” immediately preceding it of the Education Reform Act 1988, as to England	1 January 2005	<a href="#">2004/2781</a>

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