
DRAFT STATUTORY INSTRUMENTS

2019 No.

**The Higher Education and Research Act 2017
(Further Implementation etc.) Regulations 2019**

PART 6

Savings

Saving of section 91(5) of the Further and Higher Education Act 1992 for the purposes of section 77(1) of that Act and section 39 of the Teaching and Higher Education Act 1998

45.—(1) The coming into force of regulation [4\(a\)\(ii\)](#) of these Regulations is of no effect in relation to an application that falls within paragraph (2).

(2) An application falls within this paragraph if it is an application—

- (a) for the Privy Council to exercise its power to give consent under section 77(1) of the Further and Higher Education Act 1992⁽¹⁾ or approval under section 39(1) or (2) of the Teaching and Higher Education Act 1998⁽²⁾;
- (b) that was made on or before 31st March 2019.

Saving of orders made under section 129 of the Education Reform Act 1988

46. An order made under section 129 of the Education Reform Act 1988 before commencement of paragraph 9 of Schedule 11 to the Higher Education and Research Act 2017 shall continue to have effect in respect of:

- (a) an application that falls within regulation 45(2) of these Regulations,
- (b) paragraph 6(a)(ii) of Part 1 (employments pensionable without election) of Schedule 2 (pensionable employment) to the Teachers' Pensions Regulations 2010⁽³⁾,
- (c) paragraph 14(a)(ii) of Part 2 (service pensionable without election) of Schedule 1 (eligible employment) to the Teachers' Pension Scheme Regulations 2014⁽⁴⁾, and
- (d) paragraph 4 of Part 2 of Schedule 2 (scheme employers) to the Local Government Pension Scheme Regulations 2013⁽⁵⁾.

(1) [1992 c. 13.](#)
(2) [1998 c. 30.](#)
(3) [S.I. 2010/990.](#)
(4) [S.I. 2014/512.](#)
(5) [S.I. 2013/2356.](#)