WELSH STATUTORY INSTRUMENTS

2005 No. 1833 (W.149) (C.79)

EDUCATION, WALES

The Higher Education Act 2004 (Commencement No.2 and Transitional Provision) (Wales) Order 2005

Made - - - - 6 July 2005

The National Assembly for Wales, in exercise of the powers conferred upon it by sections 47(5), 52(3), (4) and (6) of the Higher Education Act 2004(**1**) with the agreement of the Secretary of State(**2**) hereby makes the following Order:

Title, application and interpretation

1. The title of this Order is the Higher Education Act 2004 (Commencement No.2 and Transitional Provision) (Wales) Order 2005.

2. Provisions brought into force by this Order are brought into force in relation to Wales.

3. In this Order, unless otherwise stated, references to sections and Schedules are references to sections of and Schedules to the Higher Education Act 2004.

Provisions coming into force

4. The following provisions come into force on 7 July 2005—

(a) section 10(2);

(b) section 44 (1), (2), (5) and (6);

(c) section 49 in so far as it relates to the provisions of Schedule 6 below;

(d) section 50 in so far as it relates to the provisions of Schedule 7 below;

(e) in Schedule 6, paragraph 7, the omission of section 26(5) of the Teaching and Higher Education Act 1998; and

(f) in Schedule 7, the repeal of section 26(5) of the Teaching and Higher Education Act 1998.

5. The following provisions come into force on 1 September 2006—

(a) section 44(3); and

(b) section 44(4).

(**1**) 2004 c. 8.
(**2**) As required by the Higher Education Act 2004, section 52(4).

Transitional and saving provision

6. Notwithstanding the coming into force of section 44(1) and (2) by virtue of article 4(b) above, until 1 September 2006, the functions of the Secretary of State under the Education (Student Support) Regulations 2005(**3**) are exercisable in relation to Wales by the Secretary of State solely.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(**4**).

D. Elis-Thomas
6 July 2005 The Presiding Officer of the National Assembly

(**3**) S.I. 2005/52.
(**4**) 1998 c. 38.