



Higher Education Act 2004

2004 CHAPTER 8

PART 5

MISCELLANEOUS AND GENERAL

Staff disputes: jurisdiction of visitor

46 Exclusion of visitor's jurisdiction in relation to staff disputes

- (1) The visitor of a qualifying institution has no jurisdiction in respect of—
 - (a) any dispute relating to a member of staff which concerns his appointment or employment or the termination of his appointment or employment,
 - (b) any other dispute between a member of staff and the qualifying institution in respect of which proceedings could be brought before any court or tribunal, or
 - (c) any dispute as to the application of the statutes or other internal laws of the institution in relation to a matter falling within paragraph (a) or (b).
- (2) In subsection (1) “qualifying institution” has the meaning given by section 11.
- (3) In determining whether a dispute falls within subsection (1)(b) it is to be assumed that the visitor does not have jurisdiction to determine the dispute.
- (4) Section 206 of the Education Reform Act 1988 (c. 40) (which is superseded by subsection (1)) shall cease to have effect.

Commencement Information

- I1** S. 46 in force for W. at 1.1.2005 by [S.I. 2004/3144](#), [Sch. Pt. 2](#) (with [art. 6](#))
- I2** S. 46 in force for E. at 1.1.2005 by [S.I. 2004/2781](#), [art. 4](#) (with [art. 5](#))

Status:

Point in time view as at 07/07/2005.

Changes to legislation:

Higher Education Act 2004, Cross Heading: Staff disputes: jurisdiction of visitor is up to date with all changes known to be in force on or before 05 September 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.