
STATUTORY INSTRUMENTS

2015 No. 1575 (C. 89)

CONSUMER PROTECTION, ENGLAND

The Consumer Rights Act 2015 (Commencement No. 2 and Transitional Provision) (England) Order 2015

Made - - - - *22nd July 2015*

The Secretary of State, in exercise of the powers conferred by sections 97(1) and 100(3)(a) of the Consumer Rights Act 2015⁽¹⁾, makes the following Order.

Citation, application and interpretation

1.—(1) This Order may be cited as the Consumer Rights Act 2015 (Commencement No. 2 and Transitional Provision) (England) Order 2015.

(2) This Order applies in relation to England only.

(3) In this Order “the Act” means the Consumer Rights Act 2015.

Provisions coming into force on 1st September 2015

2. Chapter 4 of Part 3 of the Act comes into force on 1st September 2015.

Transitional provision

3.—(1) A qualifying complaint about an act or omission of a qualifying institution falling within section 11(e) or (f) of the Higher Education Act 2004⁽²⁾ can only be reviewed by the designated operator where the act or omission complained of—

(a) occurs on or after 1st September 2015; or

(b) begins before that date but continues on or after it.

(2) In this article the terms “qualifying complaint”, “qualifying institution” and “designated operator” bear the same meanings as they bear in Part 2 of the Higher Education Act 2004.

(1) 2015 c.15.

(2) 2004 c.8.

Status: This is the original version (as it was originally made).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

22nd July 2015

Jo Johnson
Minister of State for Universities and Science
Department for Business, Innovation and Skills

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force in England, on 1st September 2015, Chapter 4 of Part 3 of the Consumer Rights Act 2015 (c.15) (“the Act”) which amends sections 11 and 12 of the Higher Education Act 2004 (c.8) by expanding the list of higher education providers which are required to join the student complaints scheme. The expansion means that all those institutions delivering courses which are specifically or automatically designated to receive student support funding and providers with degree awarding powers will be required to join the scheme.

This Order includes a transitional provision to make clear that, in respect of the new “qualifying institutions”, only complaints relating to acts or omissions that occurred on or after 1st September 2015, or that continue to occur on or after that date, may be reviewed by the designated operator of the scheme. Pursuant to the Secretary of State’s power to designate under section 13(1) of the Higher Education Act 2004, the Office of the Independent Adjudicator for Higher Education has been the designated operator of the scheme for England since 1st January 2005.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

This is the second commencement order made under the Act that applies to England only. Certain provisions of the Act came into force in accordance with section 100 of the Act, on the passing of the Act or two months after the passing of the Act. The Consumer Rights (Commencement) (England) Order 2015 (S.I. 2015/965) brought certain provisions into force on 27th May 2015 in relation to England only. The Consumer Rights Act 2015 (Commencement No. 1) Order 2015 (S.I. 2015/1333) brought certain provisions into force on 27th May 2015 in relation to the United Kingdom.

The following provisions of the Act have been or will be brought into force by commencement orders made before the date of this Order:

<i>Provision</i>	<i>Date of commencement</i>	<i>S.I. No.</i>
Section 77 (partially, in relation to England only)	27th May 2015	2015/965
Section 77 (partially)	27th May 2015	2015/1333
Section 82	27th May 2015	2015/1333
Sections 83 to 88 (in so far as they were not already in force, in relation to England only)	27th May 2015	2015/965
Schedule 5 (partially, in relation to England only)	27th May 2015	2015/965
Schedule 5 (partially)	27th May 2015	2015/1333
Schedule 9 (in so far as was not already in force, in relation to England only)	27th May 2015	2015/965

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