

Status: This version of this provision is prospective.

Changes to legislation: There are currently no known outstanding effects for the Tertiary Education and Research (Wales) Act 2022, Paragraph 5. (See end of Document for details)

SCHEDULE 4

MINOR AND CONSEQUENTIAL AMENDMENTS

PROSPECTIVE

Education Reform Act 1988 (c. 40)

- 5 (1) The Education Reform Act 1988 is amended as follows.
- (2) In section 120 (powers of local authorities with respect to higher education), after subsection (4) insert—
- “(4A) In exercising its powers under subsection (3) a local authority must have regard to the Commission for Tertiary Education and Research’s strategic plan approved under section 15 of the Tertiary Education and Research (Wales) Act 2022.”
- (3) In section 124B (accounts), in subsection (2)(b), for “the Higher Education Funding Council for Wales” substitute “the Commission for Tertiary Education and Research”.
- (4) In section 129 (designation of institutions)—
- (a) in subsection (1)—
- (i) for “the Secretary of State” substitute “the Welsh Ministers”;
- (ii) for “as an institution eligible to receive support from funds administered by the Higher Education Funding Council for Wales” substitute “for the purposes of this section”;
- (iii) in paragraph (a) for “him” substitute “them”;
- (iv) in paragraphs (a) and (b) after “institution” insert “in Wales”;
- (b) in subsection (5)(d), for “the Secretary of State” substitute “the Welsh Ministers”.
- (5) In section 133 (payments in respect of persons employed in the provision of higher or further education), in subsection (1)—
- (a) for “and the Higher Education Funding Council for Wales each have” substitute “has”;
- (b) for “they think” substitute “it thinks”;
- (c) in paragraph (a) for “their” substitute “its”.
- (6) In section 198 (transfers), in subsection (5), for “the higher education funding council” substitute “the Commission for Tertiary Education and Research”.
- (7) In Schedule 7 (higher education corporations in Wales established before the appointed day), in paragraph 18(2)(b), for “the Higher Education Funding Council for Wales” substitute “the Commission for Tertiary Education and Research”.

Commencement Information

- II** Sch. 4 para. 5 not in force at Royal Assent, see [s. 148\(2\)](#)

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