



# Tertiary Education and Research (Wales) Act 2022

2022 asc 1

## PART 7

### MISCELLANEOUS AND GENERAL

#### *Higher education corporations*

PROSPECTIVE

#### **138 Articles of government of higher education corporations in Wales**

- (1) The [Education Reform Act 1988 \(c. 40\)](#) is amended as follows.
- (2) In section 125, after subsection (7) insert—
  - “(8) The Welsh Ministers may by order amend or repeal any of subsections (2) to (4) of this section.
  - (9) Before making an order under subsection (8) the Welsh Ministers must consult—
    - (a) the Commission for Tertiary Education and Research, and
    - (b) any other persons they think appropriate.”
- (3) In section 232—
  - (a) in subsection (1), after the words “Secretary of State” insert “or the Welsh Ministers”;
  - (b) after subsection (4) insert—

“(4ZA) A statutory instrument containing any order or regulations made by the Welsh Ministers under this Act, other than an order under

*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, Section 138. (See end of Document for details)*

section 124A, 125, 214 or 216, shall be subject to annulment in pursuance of a resolution of Senedd Cymru.

(4ZB) A statutory instrument containing an order made by the Welsh Ministers under section 124A or 125 of this Act may not be made unless a draft of the instrument has been laid before, and approved by resolution of, Senedd Cymru.

(4ZC) For the purposes of subsection (4ZA) above, any order or regulations made by the Welsh Ministers under this Act includes any order or regulations made under a power that is expressed as a power of the Secretary of State and has been transferred to the Welsh Ministers.”;

(c) in subsection (5), for the word “thinks” substitute “or the Welsh Ministers think”.

#### **Commencement Information**

**II** S. 138 not in force at Royal Assent, see [s. 148](#)

**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, Section 138.