

TERTIARY EDUCATION AND RESEARCH (WALES) ACT 2022

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 3: Securing and Funding Tertiary Education and Research

Financial support directions

Section 110: Financial support directions

357. This section enables the Welsh Ministers to direct the Commission in respect of the provision of financial support provided to a relevant person under the specified funding powers, where it appears to the Welsh Ministers that the financial affairs of the relevant person have been, or are being, mismanaged. Subsection (3) defines a financial support direction and set outs the funding powers to which such a direction can relate. Subsection (4) defines a relevant person for the purposes of financial support directions.
358. Before issuing a financial support direction to the Commission, subsection (5) requires the Welsh Ministers to consult the Commission and the relevant person to which the direction relates unless the Welsh Ministers are satisfied that it is not practical to do so because of the urgency with which the direction needs to be given, or the specific circumstances mean that consultation would defeat the object of the direction.
359. Any financial support direction given to the Commission under this section must be kept under review. Additionally, the Welsh Ministers must publish a financial support direction given to the Commission and report any such directions to the Senedd. The Commission is required to comply with a financial support direction given by the Welsh Ministers.