

TERTIARY EDUCATION AND RESEARCH (WALES) ACT 2022

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 3: Securing and Funding Tertiary Education and Research

Further education and training

Section 94: Education and training for eligible persons over 19

298. This section requires the Commission to secure proper facilities for Wales for relevant education and training for eligible persons. Facilities are ‘proper’ if they are of sufficient quantity and adequate quality to meet the reasonable needs of eligible individuals. “Facilities for Wales” includes facilities in Wales, and other facilities available to persons ordinarily resident in Wales (see section 144(1)).
299. Welsh Ministers must make regulations describing the relevant further education or training for which the Commission must secure proper facilities. The regulations can, for example, refer to the subjects to be studied or the level of study or the type of qualification to be pursued.
300. An eligible person is one who has attained the age of 19 and falls within a description specified in regulations made by Welsh Ministers. These regulations may, for example, refer to a person’s age, the qualifications they already possess, their income levels, whether they are employed, unemployed, self-employed, etc. The regulations could specify that persons falling within a particular description are eligible in relation to a particular description of further education or training.
301. The facilities to be secured for education and training include both full-time and part-time further education and training as well as vocational, social, physical and recreational training (see the definitions in section 144(2) to (5)).
302. The Commission’s duties under this section do not extend to higher education (see paragraphs 277 to 280 for an explanation of the Commission’s powers to fund higher education).