



# Tertiary Education and Research (Wales) Act 2022

2022 asc 1

## PART 2

### REGISTRATION AND REGULATION OF TERTIARY EDUCATION PROVIDERS

#### CHAPTER 3

##### FURTHER ENFORCEMENT AND PROCEDURAL PROVISIONS

###### *Warning and review procedure*

**77 Information to be given with notices and directions and effect pending review**

- (1) If the Commission gives a governing body a notice or direction to which this section applies, the notice or direction must specify the date on which it takes effect.
- (2) The Commission must, at the same time it gives the notice or direction, give the governing body a statement specifying—
  - (a) the reasons for giving the notice or direction,
  - (b) information as to the right of review, and
  - (c) the period specified in regulations under section 79(4)(c) within which an application for review may be made.
- (3) A notice or direction to which this section applies may not take effect at any time when—
  - (a) an application for review under section 78 could be brought in respect of the notice or direction, or
  - (b) a review or a decision by the Commission following such a review is pending.

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*Status: This is the original version (as it was originally enacted).*

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- (4) But that does not prevent a notice or direction taking effect if the governing body notifies the Commission that it does not intend to apply for a review.
- (5) Where subsection (3) ceases to prevent a notice or direction taking effect on the date specified under subsection (1), the Commission must determine a future date on which the notice or direction takes effect.
- (6) But that is subject to what has been determined by the Commission following any review under section 78 in respect of the notice or direction.