



Tertiary Education and Research (Wales) Act 2022

2022 asc 1

PART 3

SECURING AND FUNDING TERTIARY EDUCATION AND RESEARCH

Further education and training

97 Financial support for further education or training

- (1) The Commission or the Welsh Ministers may secure the provision of financial resources to—
- (a) persons for the purpose of the provision or proposed provision by them or by a collaborating body (within the meaning given by subsection (3)) of further education or training wholly or mainly in Wales;
 - (b) persons for the purpose of the provision or proposed provision by them or by a collaborating body (within the meaning given by subsection (3)) of further education or training to persons who are ordinarily resident in Wales;
 - (c) persons for the purpose of the provision or proposed provision by them of goods or services in connection with the provision by them or others of further education or training wholly or mainly in Wales;
 - (d) persons who are ordinarily resident in Wales and who are receiving or proposing to receive further education or training;
 - (e) persons who are not ordinarily resident in Wales and who are receiving or proposing to receive further education or training in Wales;
 - (f) tertiary education providers in Wales that are institutions within the further or higher education sector for the purpose of the provision or proposed provision by them of secondary education to persons of compulsory school age;
 - (g) persons carrying out means tests under arrangements made under section 100.

Status: This is the original version (as it was originally enacted).

- (2) The Commission or the Welsh Ministers may secure the provision of financial resources under subsection (1)—
 - (a) by providing resources itself or themselves;
 - (b) by making arrangements for the provision of resources by another person;
 - (c) by making arrangements for the provision of resources by persons jointly (whether or not including the Commission or the Welsh Ministers).
- (3) A person (“a provider”) may pay all or some of the financial resources provided to the provider under subsection (1)(a) or (b) to another person (“a collaborating body”) if subsection (4) applies.
- (4) This subsection applies if the collaborating body is providing, is proposing to provide or has provided further education or training on behalf of the provider, or is working, is proposing to work or has worked in collaboration with the provider for the purpose for which the financial resources are secured.
- (5) The Commission (in the case of financial resources secured by it) or the Welsh Ministers (in the case of financial resources secured by them) must give their consent before the provider makes a payment to a collaborating body (see section 109 for further provision about the Commission’s consent).
- (6) The Commission may not provide its financial resources under subsection (1)(a) or (b), or make arrangements for a local authority to provide such resources under subsection (2)(b), to the governing body of a maintained school in Wales for the purpose of, or for a purpose connected with, the provision by the school of education suitable to the requirements of persons over compulsory school age (for provision as to the funding of school sixth-forms, see section 101).
- (7) But the Commission may provide its financial resources under this subsection, or make arrangements for a local authority to provide such resources, to the governing body of a maintained school in Wales that provides education suitable to the requirements of persons over compulsory school age for the purpose of innovative activities.
- (8) An innovative activity is an activity that—
 - (a) in the Commission’s opinion will contribute to the raising of standards of tertiary education, and
 - (b) is described in a document prepared by the Commission and approved by the Welsh Ministers.