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WELSH STATUTORY INSTRUMENTS

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**2023 No. 919**

**The Tertiary Education and Research (Wales) Act 2022  
(Commencement No. 2 and Transitory Provision) Order 2023**

**Provisions coming into force on 4 September 2023 to the extent specified**

**3.** The following provisions of the Act come into force on 4 September 2023 to the extent specified in relation to each such provision—

- (a) section 2 (promoting life-long learning), for the purposes of preparing a strategic plan under section 14 (but not so as to bring the duty under section 2 into force);
- (b) section 3 (promoting equality of opportunity), for the purposes of preparing a strategic plan under section 14 (but not so as to bring the duties under section 3 into force);
- (c) section 4 (encouraging participation in tertiary education), for the purposes of preparing a strategic plan under section 14 (but not so as to bring the duties under section 4 into force);
- (d) section 5 (promoting continuous improvement in tertiary education), for the purposes of preparing a strategic plan under section 14 (but not so as to bring the duty under section 5 into force);
- (e) section 6(1)(a) (promotion of research and innovation), for the purposes of preparing a strategic plan under section 14 (but not so as to bring the duty under section 6(1)(a) into force);
- (f) section 7 (promoting collaboration and coherence in tertiary education and research), for the purposes of preparing a strategic plan under section 14 (but not so as to bring the duties under section 7 into force);
- (g) section 8 (contributing to a sustainable and innovative economy), for the purposes of preparing a strategic plan under section 14 (but not so as to bring the duty under section 8 into force);
- (h) section 9(1) (promoting tertiary education through the medium of Welsh), for the purposes of preparing a strategic plan under section 14 (but not so as to bring the duties under section 9(1) into force);
- (i) section 10 (promoting a civic mission), for the purposes of preparing a strategic plan under section 14 (but not so as to bring the duty under section 10 into force);
- (j) section 11 (promoting a global outlook), for the purposes of preparing a strategic plan under section 14 (but not so as to bring the duties under section 11 into force);
- (k) section 12 (promoting collaboration between providers of tertiary education and trade unions), for the purposes of preparing a strategic plan under section 14 (but not so as to bring the duty under section 12 into force);
- (l) section 25, for the purposes of making regulations under that section;
- (m) section 25(1), (4), (6)(a) and (6)(b) (in so far as it relates to subsections (4) and (5)), for the purposes of section 25(7) (but not so as to bring any duties under those subsections into force);

- (n) section 25(4)(d), for the purposes of section 27(2) (initial registration conditions) (but not so as to bring the duty under section 25(4)(d) into force);
- (o) section 25(9)(a) and (10) (in so far as subsection (10) relates to subsection (9)(a));
- (p) section 27 (initial registration conditions), for the purposes of making regulations under that section;
- (q) section 27(1), (2) and (8), for the purposes of enabling the Commission to prepare the document referred to in section 27(2) (but not so as to bring the duty under section 27(2) into force);
- (r) section 28(1) to (3) (general ongoing registration conditions), for the purposes of enabling the Commission to take steps towards determining the general ongoing registration conditions pursuant to section 28(1) (but not so as to bring the duties under section 28(1) into force);
- (s) section 31(1)(a) to (f), (i), (j) and (2) (mandatory ongoing registration conditions for each registered provider), for the purposes of enabling the Commission to take steps towards determining the general ongoing registration conditions pursuant to section 28(1) (but not so as to bring the duty under section 31(1) into force);
- (t) section 32 (mandatory ongoing registration condition on fee limits), for the purposes of making regulations under that section;
- (u) section 32 and section 33 (mandatory ongoing registration conditions on equal opportunity), for the purposes of enabling the Commission to take steps towards determining the general ongoing registration conditions pursuant to section 28(1) (but not so as to bring any duties under sections 32 and 33 into force);
- (v) section 35 (Commission duty to give guidance about ongoing registration conditions), for the purposes of enabling the Commission to prepare guidance for registered providers about ongoing registration conditions (but not so as to bring the duty under that section into force);
- (w) section 36 (Commission duty to monitor compliance with ongoing registration conditions), for the purposes of enabling the Commission to take steps towards determining how it will monitor compliance with ongoing registration conditions by registered providers (but not so as to bring the duty under that section into force);
- (x) section 41 (de-registration), for the purposes of making regulations under that section;
- (y) section 43 (voluntary de-registration and de-registration with consent), for the purposes of making regulations under that section;
- (z) section 47(1) to (5) (approval of fee limit statement), for the purposes of enabling the Commission to take steps towards determining the fee limit condition pursuant to section 32(3)(a) and the general ongoing registration conditions pursuant to section 28(1) (but not so as to bring any duties under section 47(2) or (4) into force);
- (aa) section 54 (assessment of quality of higher education), for the purposes of making regulations under that section;
- (bb) section 57 (duty of the Chief Inspector to inspect and report), for the purposes of making regulations under that section;
- (cc) section 83 (designation of other providers of tertiary education), for the purposes of making regulations under that section;
- (dd) section 84 (interpretation of Part 2), except for the definition of “excess fees”;
- (ee) section 87(1) and (5), except for the references to sections 88 and 105 in subsection (5), for the purposes of preparing a statement under section 87(1) (but not so as to bring the duty under that section into force);

- (ff) section 88 (financial support to specified providers for higher education), for the purposes of making regulations under that section;
- (gg) section 89(3) to (5), for the purposes of preparing a statement under section 87;
- (hh) section 97 (financial support for further education or training), for the purposes of preparing a statement under section 87;
- (ii) section 101 (school sixth-forms), for the purposes of preparing a statement under section 87;
- (jj) section 103 (financial support for other activities connected to tertiary education), for the purposes of preparing a statement under section 87;
- (kk) section 104 (financial support for apprenticeships), for the purposes of preparing a statement under section 87;
- (ll) section 105 (financial support for research and innovation), for the purposes of making regulations under that section;
- (mm) in Schedule 1, paragraph 9(5), except in so far as it refers to paragraph 6(5).

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**Commencement Information**

**II** Art. 3 in force at made date

**Status:**

Point in time view as at 21/08/2023.

**Changes to legislation:**

There are currently no known outstanding effects for the The Tertiary Education and Research (Wales) Act 2022 (Commencement No. 2 and Transitory Provision) Order 2023, Section 3.