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WELSH STATUTORY INSTRUMENTS

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**2022 No. 79 (W. 28)**

**EDUCATION, WALES**

**The Education (Student Finance) (Miscellaneous  
Amendments) (Wales) Regulations 2022**

<i>Made</i>	- - - -	<i>26 January 2022</i>
<i>Laid before Senedd Cymru</i>		<i>28 January 2022</i>
<i>Coming into force</i>	- -	<i>23 February 2022</i>

The Welsh Ministers make the following Regulations in exercise of the powers conferred upon the Secretary of State under sections 1 and 2 of the Education (Fees and Awards) Act 1983<sup>(1)</sup> and sections 22(1)(a), 22(2)(a), (b) and (c) and 42(6) of the Teaching and Higher Education Act 1998<sup>(2)</sup>, and now exercisable by them<sup>(3)</sup>, and powers conferred on them under sections 5(5)(b) and 55(2) of the Higher Education (Wales) Act 2015<sup>(4)</sup>:

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- (1) 1983 c. 40; section 1 was amended by the Education Reform Act 1988 (c. 40), Schedule 12, paragraph 91; the Further and Higher Education Act 1992 (c. 13), Schedule 8, paragraph 19; the Education Act 1994 (c. 30), Schedule 2, paragraph 7; the Education Act 1996 (c. 56), Schedule 37, paragraph 57; the Learning and Skills Act 2000 (c. 21), Schedule 9, paragraphs 1 and 11; the Education Act 2002 (c. 32), Schedule 21, paragraph 5 and Schedule 22; the Education Act 2005 (c. 18), Schedule 14, paragraph 9; S.I. 2010/1080, Schedule 1, paragraph 12; S.I. 2010/1158, Schedule 2, paragraph 1; the Education Act 2011 (c. 21), Schedule 5, paragraph 5 and Schedule 16, paragraph 5; and the Deregulation Act 2015 (c. 20), Schedule 14, paragraph 33. Section 2 was amended by the Teaching and Higher Education Act 1998 (c. 30), section 44 and Schedule 4.
- (2) 1998 c. 30; section 22(2)(a) to (c) was amended by the Higher Education and Research Act 2017 (c. 29), section 86(3)(a). See section 43(1) of the Teaching and Higher Education Act 1998 for the definitions of “prescribed” and “regulations”.
- (3) The functions of the Secretary of State in section 1 of the Education (Fees and Awards) Act 1983 were transferred to the National Assembly for Wales so far as exercisable in relation to Wales by S.I. 2006/1458 with effect from 8 June 2006. The functions of the Secretary of State in section 2 of that Act were transferred to the National Assembly for Wales so far as exercisable in relation to Wales by S.I. 1999/672. The function of the Secretary of State in section 22(2)(b) of the Teaching and Higher Education Act 1998 was transferred to the National Assembly for Wales, so far as they relate to making provision in relation to Wales by Section 44 of the Higher Education Act 2004. Section 44 of that Act also provided that the functions in section 22(2)(a) and (c) of the Teaching and Higher Education Act 2004 were to be exercised by the National Assembly for Wales concurrently with the Secretary of State, so far as they relate to making provision in relation to Wales. The Secretary of State’s function in section 42(6) of the Teaching and Higher Education Act 1998, in so far as being exercisable in relation to Wales, was transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999, article 2 and Schedule 1 (S.I. 1999/672). The functions of the National Assembly for Wales were transferred to the Welsh Ministers by virtue of section 162 and paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32).
- (4) 2015 anaw 1. See section 57(1) for the definitions of “prescribed” and “regulations”.