



Tertiary Education and Research (Wales) Act 2022

2022 asc 1

PART 1

STRATEGIC FRAMEWORK FOR TERTIARY EDUCATION AND RESEARCH

Academic freedom and institutional autonomy

17 Academic freedom of higher education providers and staff

- (1) In exercising their functions under this Act, the Welsh Ministers and the Commission must have regard to the importance of protecting the academic freedom of—
- (a) tertiary education providers in Wales that provide higher education (so far as the freedom relates to higher education or research and innovation), and
 - (b) academic staff at those providers.
- (2) In this section, “academic freedom” means—
- (a) in relation to tertiary education providers, their freedom to determine—
 - (i) the contents of particular higher education courses and the manner in which they are taught, supervised or assessed,
 - (ii) the criteria for admission of students to higher education courses and to apply those criteria in particular cases, and
 - (iii) the criteria for the selection and appointment of academic staff and to apply those criteria in particular cases;
 - (b) in relation to academic staff, their freedom within the law—
 - (i) to question and test received wisdom, and
 - (ii) to put forward new ideas and controversial or unpopular opinions, without placing themselves in jeopardy of losing their jobs or privileges they may have at the tertiary education providers.

Changes to legislation: There are currently no known outstanding effects for the Tertiary Education and Research (Wales) Act 2022, Cross Heading: Academic freedom and institutional autonomy. (See end of Document for details)

.....

Commencement Information

- I1** S. 17 not in force at Royal Assent, see [s. 148\(2\)](#)
- I2** [S. 17](#) in force at 4.9.2023 by [S.I. 2023/919](#), [art. 2\(c\)](#)

18 Institutional autonomy of tertiary education providers

In exercising their functions under this Act, the Welsh Ministers and the Commission must have regard to the importance of protecting the freedom within the law of tertiary education providers in Wales to conduct their day to day management in an effective and competent way.

.....

Commencement Information

- I3** S. 18 not in force at Royal Assent, see [s. 148\(2\)](#)
- I4** [S. 18](#) in force at 4.9.2023 by [S.I. 2023/919](#), [art. 2\(d\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Tertiary Education and Research (Wales) Act 2022, Cross Heading: Academic freedom and institutional autonomy.