

SCHEDULES

SCHEDULE 5

ABOLITION OF THE TDA: CONSEQUENTIAL AMENDMENTS

HEA 2004

19 For section 23, substitute—

“23 Duty of Secretary of State to impose condition as to student fees, etc

- (1) Subsection (2) applies to a grant made by the Secretary of State to the Higher Education Funding Council for England under section 68 of the 1992 Act.
- (2) The grant must be made subject to a condition requiring the Council to impose a condition under section 24 in relation to any grants, loans or other payments made by the Council under section 65 of the 1992 Act to the governing body of a relevant institution.
- (3) Subsection (4) applies to financial assistance given by the Secretary of State under section 14 of the Education Act 2002 to the governing body of a relevant institution.
- (4) The terms on which the financial assistance is given must include a condition under section 24.
- (5) “Relevant institution” means—
 - (a) in the case of a grant to which subsection (2) applies, an institution specified, or of a class specified, by the Secretary of State in a condition under subsection (2);
 - (b) in the case of financial assistance to which subsection (4) applies, an institution specified, or of a class specified, by order made by the Secretary of State for the purposes of that subsection.”