

Status: Point in time view as at 01/04/2018.

Changes to legislation: Higher Education and Research Act 2017, Cross Heading: Further and Higher Education Act 1992 is up to date with all changes known to be in force on or before 08 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 11

MINOR AND CONSEQUENTIAL AMENDMENTS RELATING TO PART 1

Further and Higher Education Act 1992

12 The Further and Higher Education Act 1992 is amended as follows.

Commencement Information

11 Sch. 11 para. 12 in force at 1.4.2018 by S.I. 2018/241, reg. 2(s)

13 In section 61 (interpretation of Part 1), omit subsection (3)(b).

Commencement Information

12 Sch. 11 para. 13 in force at 1.4.2018 by S.I. 2018/241, reg. 2(s)

14 (1) Section 62 (establishment of the Higher Education Funding Councils) is amended as follows.

(2) In the heading, for “The Higher Education Funding Councils” substitute “The Higher Education Funding Council for Wales”.

(3) In subsection (1)—

(a) omit paragraph (a), and

(b) in paragraph (b), after “them” insert “ (referred to in this Act as “the HEFCW”) ”.

(4) Omit subsection (2).

(5) In subsection (4), for “a council” substitute “ the HEFCW ”.

(6) Omit subsections (5) and (6).

(7) In subsection (7)—

(a) omit “institutions in England or”,

(b) in paragraph (a), omit “England or, as the case may be,”, and

(c) in paragraph (b), omit “, in both cases,”.

(8) In subsection (7A), for “each council” substitute “ the HEFCW ”.

(9) In subsection (8), for “one of the councils” substitute “ the HEFCW or the Office for Students ”.

(10) In subsection (9), for “each of the councils” substitute “ the HEFCW ”.

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Commencement Information

I3 Sch. 11 para. 14 in force at 1.4.2018 by S.I. 2018/241, reg. 2(s) (with transitional and savings provisions in S.I. 2018/245, regs. 2-4)

- 15 (1) Section 65 (administration of funds by councils) is amended as follows.
- (2) In the heading, for “councils” substitute “ the HEFCW ”.
- (3) In subsection (1)—
- (a) for “Each council” substitute “ The HEFCW ”, and
- (b) for “the council” substitute “ the HEFCW ”.
- (4) In subsection (2)(a), for “the council's” substitute “the HEFCW's”.
- (5) In subsection (3)—
- (a) for “A council” substitute “ The HEFCW ”, and
- (b) for “the council” substitute “ the HEFCW ”.
- (6) In subsection (3A)—
- (a) for “a Council” substitute “ the HEFCW ”, and
- (b) for “the Council” substitute “ the HEFCW ”.
- (7) In subsection (3B), for “the Council in question” substitute “ the HEFCW ”.
- (8) In subsection (4)—
- (a) for “a council” substitute “ the HEFCW ”, and
- (b) for “the council”, in each place, substitute “ the HEFCW ”.

Commencement Information

I4 Sch. 11 para. 15 in force at 1.4.2018 by S.I. 2018/241, reg. 2(s) (with transitional and savings provisions in S.I. 2018/245, regs. 2-4)

- 16 (1) Section 66 (administration of funds: supplementary) is amended as follows.
- (2) In subsection (1)—
- (a) for “a council” substitute “ the HEFCW ”, and
- (b) for “the council”, in each place, substitute “ the HEFCW ”.
- (3) In subsections (2) and (3), for “a council” substitute “ the HEFCW ”.
- (4) In subsection (4), for “the council” substitute “ the HEFCW ”.

Commencement Information

I5 Sch. 11 para. 16 in force at 1.4.2018 by S.I. 2018/241, reg. 2(s) (with transitional and savings provisions in S.I. 2018/245, regs. 2-4)

- 17 (1) Section 68 (grants to councils) is amended as follows.
- (2) In the heading, for “councils” substitute “ the HEFCW ”.
- (3) In subsection (1), for “each of the councils” substitute “ the HEFCW ”.

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- (4) In subsection (2)—
- (a) for “either of the councils” substitute “ the HEFCW ”, and
 - (b) for “the council”, in each place, substitute “ the HEFCW ”.

Commencement Information

I6 Sch. 11 para. 17 in force at 1.4.2018 by S.I. 2018/241, reg. 2(s) (with transitional and savings provisions in S.I. 2018/245, regs. 2-4)

- 18 (1) Section 69 (supplementary functions) is amended as follows.
- (2) In subsection (1), for “Each council” substitute “ The HEFCW ”.
 - (3) Omit subsections (1A) and (1B).
 - (4) In subsection (2), for “Each council” substitute “ The HEFCW ”.
 - (5) In subsection (3), for “A council” substitute “ The HEFCW ”.
 - (6) In subsection (4)—
 - (a) in paragraph (a), for “an institution” substitute “ an institution in Wales ”, and
 - (b) for “the council” substitute “ the HEFCW ”.
 - (7) In subsections (5) and (6), for “a council” substitute “ the HEFCW ”.

Commencement Information

I7 Sch. 11 para. 18 in force at 1.4.2018 by S.I. 2018/241, reg. 2(s) (with transitional and savings provisions in S.I. 2018/245, regs. 2, 3, 5)

- 19 Omit section 70 (England: assessment of quality of education provided by institutions).

Commencement Information

I8 Sch. 11 para. 19 in force at 1.4.2018 by S.I. 2018/241, reg. 2(s) (with transitional and savings provisions in S.I. 2018/245, regs. 2, 3, 6)

- 20 (1) Section 79 (duty to give information to funding councils) is amended as follows.
- (2) In the heading, for “the funding councils” substitute “ the HEFCW ”.
 - (3) For “a council” substitute “ the HEFCW ”.

Commencement Information

I9 Sch. 11 para. 20 in force at 1.4.2018 by S.I. 2018/241, reg. 2(s) (with transitional and savings provisions in S.I. 2018/245, regs. 2, 3, 7)

- 21 Omit section 79A (Higher Education Funding Council for England's power to request information from institutions that are exempt charities).

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I10 Sch. 11 para. 21 in force at 1.4.2018 by S.I. 2018/241, reg. 2(s) (with transitional and savings provisions in S.I. 2018/245, regs. 2, 3, 8)

- 22 (1) Section 81 (directions) is amended as follows.
- (2) In subsection (1), for “each council” substitute “ the HEFCW ”.
- (3) In subsection (2), for “a council” substitute “ the HEFCW ”.
- (4) In subsection (3), for “the council”, in each place, substitute “ the HEFCW ”.

Commencement Information

I11 Sch. 11 para. 22 in force at 1.4.2018 by S.I. 2018/241, reg. 2(s) (with transitional and savings provisions in S.I. 2018/245, regs. 2, 3, 9)

- 23 (1) Section 82 (joint exercise of functions) is amended as follows.
- (2) Omit subsections (1) to (1B).
- (3) In subsection (2), for “Great Britain” substitute “ Wales and Scotland ”.
- (4) In subsection (2A), after “Scottish” insert “ Further and ”.
- (5) In subsection (3)(a)—
- (a) for “a higher education funding council” substitute “ the HEFCW ”,
 - (b) for “the National Assembly of Wales” substitute “ the Welsh Ministers ”,
 - (c) for “it is discharging its” substitute “ they are discharging their ”, and
 - (d) after “Scottish” insert “ Further and ”.

Commencement Information

I12 Sch. 11 para. 23 in force at 1.4.2018 by S.I. 2018/241, reg. 2(s) (with transitional and savings provisions in S.I. 2018/245, regs. 2, 3, 10)

- 24 In section 83 (efficiency studies), in subsection (1B), for “A higher education funding council” substitute “ The HEFCW ”.

Commencement Information

I13 Sch. 11 para. 24 in force at 1.4.2018 by S.I. 2018/241, reg. 2(s) (with transitional and savings provisions in S.I. 2018/245, regs. 2, 3, 11)

- 25 In section 91(4) (interpretation of Education Acts), for the words from “a council established under section 62” to the end substitute “the Higher Education Funding Council for Wales.

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I14 Sch. 11 para. 25 in force at 1.4.2018 by S.I. 2018/241, reg. 2(s) (with transitional and savings provisions in S.I. 2018/245, regs. 2, 3, 12)

- 26 (1) Section 92 (index) is amended as follows.
- (2) Omit the entry for “council (in Part 2), or higher education funding council”.
- (3) After the entry for “governing body” insert—

“the HEFCW section 62(1)”

- (4) For “institution in England or in Wales (in relation to higher education funding councils)” substitute “institution in Wales (in relation to the HEFCW)”.

Commencement Information

I15 Sch. 11 para. 26 in force at 1.4.2018 by S.I. 2018/241, reg. 2(s)

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