



Further and Higher Education Act 1992

1992 CHAPTER 13

PART II

HIGHER EDUCATION

Further functions

69 Supplementary functions.

(1) [^{F1}The HEFCW]—

- (a) shall provide the Secretary of State with such information or advice relating to the provision for their area of higher education as he may from time to time require, and
- (b) may provide the Secretary of State with such information or advice relating to such provision as they think fit,

and information and advice provided under this subsection shall be provided in such manner as the Secretary of State may from time to time determine.

^{F2}(1A)

^{F2}(1B)

(2) [^{F3}The HEFCW] shall keep under review activities eligible for funding under section 65 of this Act.

(3) [^{F4}The HEFCW] may provide, on such terms as may be agreed, such advisory services as the Department of Education for Northern Ireland or the Department of Agriculture for Northern Ireland may require in connection with the discharge of the department's functions relating to higher education in Northern Ireland.

(4) Where—

- (a) any land or other property is or was used or held for the purposes of [^{F5}an institution in Wales], and

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- (b) the Secretary of State is entitled to any right or interest in respect of the property, or would be so entitled on the occurrence of any event, then, if the institution is within the higher education sector, the Secretary of State may direct that all or any of his functions in respect of the property shall be exercisable on his behalf by [^{F6}the HEFCW], and the functions shall be so exercised in accordance with such directions as he may give from time to time.
- (5) The Secretary of State may by order confer or impose on [^{F7}the HEFCW] such supplementary functions relating to the provision of education as he thinks fit.
- (6) For the purposes of subsection (5) above a function is a supplementary function in relation to [^{F8}the HEFCW] if it is exercisable for the purposes of—
- (a) the exercise by the Secretary of State of functions of his under any enactment, or
 - (b) the doing by the Secretary of State of anything he has power to do apart from any enactment,
- and it relates to, or to the activities of, any institution mentioned in subsection (7) below.
- (7) Those institutions are—
- (a) institutions within the higher education sector, or
 - (b) institutions within the further education sector, or maintained or assisted by [^{F9}local authorities], at which prescribed courses of higher education are currently provided.

Textual Amendments

- F1** Words in s. 69(1) substituted (1.4.2018) by [Higher Education and Research Act 2017 \(c. 29\), s. 124\(5\), Sch. 11 para. 18\(2\)](#); S.I. 2018/241, reg. 2(s) (with transitional and savings provisions in S.I. 2018/245, regs. 2, 3, 5)
- F2** S. 69(1A)(1B) omitted (1.4.2018) by virtue of [Higher Education and Research Act 2017 \(c. 29\), s. 124\(5\), Sch. 11 para. 18\(3\)](#); S.I. 2018/241, reg. 2(s) (with transitional and savings provisions in S.I. 2018/245, regs. 2, 3, 5)
- F3** Words in s. 69(2) substituted (1.4.2018) by [Higher Education and Research Act 2017 \(c. 29\), s. 124\(5\), Sch. 11 para. 18\(4\)](#); S.I. 2018/241, reg. 2(s) (with transitional and savings provisions in S.I. 2018/245, regs. 2, 3, 5)
- F4** Words in s. 69(3) substituted (1.4.2018) by [Higher Education and Research Act 2017 \(c. 29\), s. 124\(5\), Sch. 11 para. 18\(5\)](#); S.I. 2018/241, reg. 2(s) (with transitional and savings provisions in S.I. 2018/245, regs. 2, 3, 5)
- F5** Words in s. 69(4)(a) substituted (1.4.2018) by [Higher Education and Research Act 2017 \(c. 29\), s. 124\(5\), Sch. 11 para. 18\(6\)\(a\)](#); S.I. 2018/241, reg. 2(s) (with transitional and savings provisions in S.I. 2018/245, regs. 2, 3, 5)
- F6** Words in s. 69(4) substituted (1.4.2018) by [Higher Education and Research Act 2017 \(c. 29\), s. 124\(5\), Sch. 11 para. 18\(6\)\(b\)](#); S.I. 2018/241, reg. 2(s) (with transitional and savings provisions in S.I. 2018/245, regs. 2, 3, 5)
- F7** Words in s. 69(5) substituted (1.4.2018) by [Higher Education and Research Act 2017 \(c. 29\), s. 124\(5\), Sch. 11 para. 18\(7\)](#); S.I. 2018/241, reg. 2(s) (with transitional and savings provisions in S.I. 2018/245, regs. 2, 3, 5)
- F8** Words in s. 69(6) substituted (1.4.2018) by [Higher Education and Research Act 2017 \(c. 29\), s. 124\(5\), Sch. 11 para. 18\(7\)](#); S.I. 2018/241, reg. 2(s) (with transitional and savings provisions in S.I. 2018/245, regs. 2, 3, 5)

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F9 Words in Act substituted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), [Sch. 2 para. 5\(2\)](#)

Commencement Information

I1 S. 69 wholly in force at 6.5.1992 see s. 94(3) and [S.I. 1992/831](#), art. 2, [Sch. 1](#)

Changes to legislation:

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Changes and effects yet to be applied to :

- s. 69 omitted by [2022 asc 1 Sch. 4 para. 3](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 16(6) inserted by [2007 c. 25 s. 14\(4\)](#)
- s. 17(2)(aa) inserted by [2007 c. 25 s. 14\(5\)\(b\)](#)
- s. 27(3A)(3B) inserted by [2007 c. 25 s. 15\(4\)](#)
- s. 27(9) inserted by [2007 c. 25 s. 15\(7\)](#)
- s. 51(1)-(2A) substituted for s. 51(1)(2) by [2007 c. 25 s. 16\(2\)](#)
- s. 76(8)(9) inserted by [2017 c. 29 s. 52\(4\)](#)
- s. 85D inserted by [2009 c. 22 s. 247](#)
- s. 85D(7) words inserted by [S.I. 2016/413 reg. 140](#) (This amendment comes into force on the day that section 85D of the Further and Higher Education Act 1992 (c. 13) comes into force. That provision is still prospective.)