

*These notes refer to the Further and Higher Education (Governance and Information) (Wales) Act 2014 (c.1) which received Royal Assent on 27 January 2014*

# **FURTHER AND HIGHER EDUCATION (GOVERNANCE AND INFORMATION) (WALES) ACT 2014**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS AND SCHEDULES**

#### ***Section 4 – Designated institutions: instrument and articles of government***

13. Sections 29B and 29C of FHEA 1992 make provision about the instruments and articles of designated institutions (except those conducted by a company or that are exempt under the designating order). This section replaces current sections 29B and 29C with a new section 29B. The effect of this is to remove the requirement for the Welsh Ministers' consent before designated institutions can modify or replace their instruments and articles of government and to remove the Welsh Ministers' power to modify and replace articles and instruments of government. Instead designated institutions in Wales will have the power to modify or replace their own instruments and articles of government. The requirements of the new Schedule 4 to FHEA 1992 (as replaced by Schedule 1 of this Act) will apply to the instruments and articles of government.
14. This section also amends sections 29A and 31 of the FHEA 1992 so that designated institutions' first post-designation instruments and articles of government no longer have to contain provision about members appointed by the Welsh Ministers.