



# Higher Education (Wales) Act 2015

2015 anaw 1

## PART 7

### SUPPLEMENTARY PROVISION ABOUT FUNCTIONS OF HEFCW

*Other information etc to be given by HEFCW*

#### **52 Statement in respect of intervention functions**

- (1) HEFCW must prepare and publish a statement setting out how they propose to exercise their intervention functions.
- (2) HEFCW—
  - (a) must keep the statement under review;
  - (b) may revise it.
- (3) Before publishing the statement or a revised statement, HEFCW must consult—
  - (a) the governing body of each regulated institution, and
  - (b) any other persons they think appropriate.
- (4) Regulations may make provision about—
  - (a) the preparation of the statement (including as to its form and content);
  - (b) its publication;
  - (c) the consultation to be carried out under subsection (3).
- (5) HEFCW's intervention functions are their functions under the following provisions—
  - (a) section 11 (compliance and reimbursement directions);
  - (b) section 13 (directions in respect of failure to comply with general requirements of approved plan);
  - (c) section 19 (directions in respect of inadequate quality);
  - (d) section 20(1) and (2) (other measures in respect of inadequate quality);
  - (e) section 33 (directions in respect of failure to comply with the Code);

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- (f) section 34(1) and (2) (other measures in respect of failure to comply with the Code);
- (g) section 37 (refusal to approve new fee and access plan);
- (h) sections 38 and 39 (withdrawal of approval of existing fee and access plan).

#### Commencement Information

- I1** [S. 52\(1\)](#) in force at 25.5.2015 for specified purposes by [S.I. 2015/1327](#), [art. 3\(g\)](#)
- I2** [S. 52\(1\)](#) in force at 1.9.2015 for specified purposes by [S.I. 2015/1327](#), [art. 5\(n\)](#)
- I3** [S. 52\(1\)](#) in force at 3.2.2016 in so far as not already in force by [S.I. 2016/110](#), [art. 2\(b\)](#)
- I4** [S. 52\(2\)\(3\)](#) in force at 1.9.2015 by [S.I. 2015/1327](#), [art. 5\(o\)](#)
- I5** [S. 52\(4\)](#) in force at 20.5.2015 for specified purposes by [S.I. 2015/1327](#), [art. 2\(r\)](#)
- I6** [S. 52\(5\)](#) in force at 25.5.2015 by [S.I. 2015/1327](#), [art. 3\(h\)](#)

### 53 Information and advice to be given by HEFCW to Welsh Ministers

- (1) HEFCW must, if directed to do so by the Welsh Ministers, give the Welsh Ministers such information and advice relating to the promotion of equality of opportunity and the promotion of higher education as the Welsh Ministers may require.
- (2) HEFCW may give the Welsh Ministers other information and advice relating to the promotion of equality of opportunity and the promotion of higher education.

#### Commencement Information

- I7** [S. 53](#) in force at 1.9.2015 by [S.I. 2015/1327](#), [art. 5\(p\)](#)

### 54 Other information and advice

- (1) HEFCW may—
  - (a) identify good practice relating to the promotion of equality of opportunity and the promotion of higher education, and
  - (b) give information and advice about such practice to the governing body of a regulated institution, or to the governing bodies of regulated institutions generally.
- (2) In exercising its functions, the governing body of a regulated institution is to take into account any information or advice given by HEFCW to it, or to governing bodies generally, under subsection (1)(b).
- (3) HEFCW may provide such other information and advice as they think appropriate having regard to (among other things) their functions and those of regulated institutions.
- (4) That information and advice may (among other things) relate to—
  - (a) the powers and duties of regulated institutions;
  - (b) the organisation and management of the financial affairs of regulated institutions;
  - (c) the effect of approval of a fee and access plan.

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**Commencement Information**

- I8**    [S. 54\(1\)](#) in force at 1.9.2015 by [S.I. 2015/1327](#), [art. 5\(q\)](#)  
**I9**    [S. 54\(2\)](#) in force at 1.8.2017 by [S.I. 2017/239](#), [art. 2](#)  
**I10**   [S. 54\(3\)\(4\)](#) in force at 25.5.2015 by [S.I. 2015/1327](#), [art. 3\(i\)](#)

**Changes to legislation:**

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

- Act repealed by [2022 asc 1 Sch. 4 para. 31](#)