

Status: Point in time view as at 25/05/2015. This version of this cross heading contains provisions that are not valid for this point in time.

Changes to legislation: Higher Education (Wales) Act 2015, Cross Heading: Higher Education Act 2004 is up to date with all changes known to be in force on or before 13 April 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)

SCHEDULE

CONSEQUENTIAL AND TRANSITIONAL PROVISION ETC

VALID FROM 01/09/2015

PART 1

MINOR AND CONSEQUENTIAL AMENDMENTS

Higher Education Act 2004

- 7 The Higher Education Act 2004 is amended as follows.
- 8 In section 22 (meaning of “plan” etc), in paragraph (b), for the words from “or a” to the end substitute “ is a reference to a plan approved under section 34. ”
- 9 Omit sections 27 and 28.
- 10 (1) Section 29 (supplementary provision) is amended as follows.
- (2) In subsection (1), omit “or 28”.
- (3) In subsection (2), omit “or 28(6)”.
- (4) In subsection (3)—
- (a) in the words preceding paragraph (a)—
- (i) for “, the Education Act 2002 or the 2005 Act” substitute “ or the Education Act 2002 ”;
- (ii) for the words from “, the Assembly” to “for Wales” substitute “ or the Higher Education Funding Council for England ”;
- (b) omit paragraph (b);
- (c) in paragraph (c), for the words from “or 28” to “Councils” substitute “ imposed by the Higher Education Funding Council for England ”.
- (5) In the title, for “28” substitute “ 26 ”.
- 11 (1) Section 30 (meaning of “the relevant authority”) is amended as follows.
- (2) In subsection (1), omit paragraph (b) (and the “and” preceding it).
- (3) Omit subsections (2) and (3).
- 12 In section 32 (general duties of relevant authority), omit subsection (4).
- 13 (1) Section 33 (contents of plans) is amended as follows.
- (2) In subsection (2), for “In relation to England, a” substitute “ A ”.
- (3) Omit subsection (3).
- (4) In subsection (4), omit “or (3)”.
- (5) In subsection (5)—
- (a) in the words preceding paragraph (a), omit “or (3)”;
- (b) in paragraph (d), omit the words from “and” to the end of the paragraph.

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- (6) In subsection (6), omit “or (3)”.
- (7) In subsection (7)—
- (a) for the definition of “the higher amount” substitute—
- ““the higher amount” means the amount from time to time prescribed as the higher amount under section 24(6);”;
- (b) for the definition of “qualifying course” and “qualifying person” substitute—
- ““qualifying course” and “qualifying person” have the same meaning as in section 24;”;
- (c) for the definition of “regulations” substitute—
- ““regulations” means regulations made by the Secretary of State.”
- 14 (1) Section 34 (approval of plans) is amended as follows.
- (2) In subsection (1)(a)—
- (a) after “grants” insert “ from the Higher Education Funding Council for England ”;
- (b) omit “or section 86 of the 2005 Act”.
- (3) In subsection (7), for the words from “made” to the end of the subsection substitute “ made by the Secretary of State ”.
- 15 In section 35 (duration of plans), in subsection (2) omit paragraph (b) (and the “or” preceding it).
- 16 (1) Section 36 (variation of plans) is amended as follows.
- (2) In subsection (1), omit “or a Welsh approved plan”.
- (3) In subsection (2), omit paragraph (b) (and the “or” preceding it).
- 17 In section 37 (enforcement of plans), in the title omit “: England”.
- 18 Omit section 38.
- 19 In section 39 (review of decisions)—
- (a) in the words preceding paragraph (a), for “, 37(3)(b) or 38(3)(b)” substitute “ or 37(3)(b) ”;
- (b) in paragraph (b), omit sub-paragraph (ii) (and the “or” preceding it);
- (c) in paragraph (c), omit “or the Assembly”.
- 20 Omit section 40A (provision of reports etc by relevant authority in relation to Wales).
- 21 In section 41 (interpretation of Part 3), in subsection (1)—
- (a) in the definition of “fees”, in paragraph (e), omit sub-paragraph (ii) (and the “or” preceding it);
- (b) omit the definition of “Welsh approved plan”.

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