



# Tertiary Education and Research (Wales) Act 2022

2022 asc 1

## PART 1

### STRATEGIC FRAMEWORK FOR TERTIARY EDUCATION AND RESEARCH

#### *Welsh Ministers' guidance and directions*

#### **20 Guidance**

In exercising its functions, the Commission must have regard to guidance given to it by the Welsh Ministers.

#### **21 The Welsh Ministers' power to give general directions**

- (1) The Welsh Ministers may give the Commission general directions about the exercise of any of its functions.
- (2) Directions under this section may be framed by reference to a particular course of study, but must not require the Commission to exercise a function in a way which prohibits or requires the provision of a particular course of study.
- (3) The directions must not be framed by reference to—
  - (a) a particular registered provider,
  - (b) a particular person other than a registered provider in receipt of financial resources provided or secured by the Commission under Part 3,
  - (c) particular parts of courses of study,
  - (d) particular programmes of research or innovation projects,
  - (e) the content of courses of study, programmes of research or innovation projects,
  - (f) the manner in which such courses, programmes or projects are taught, supervised or assessed,

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*Status: This is the original version (as it was originally enacted).*

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- (g) the criteria for the selection, appointment or dismissal of academic staff, or how they are applied, or
  - (h) the criteria for the admission of students, or how they are applied.
- (4) Subsections (2) and (3) do not prevent directions under this section being framed by reference to courses of study or parts of courses of study being provided and assessed through the medium of Welsh.
- (5) Directions under this section may be framed by reference to an area of research or innovation but only if that area is specified in the Commission's strategic plan approved under section 15.
- (6) Before giving a direction under this section, the Welsh Ministers must consult the Commission.
- (7) If the Welsh Ministers give a direction under this section, they must—
  - (a) publish the direction,
  - (b) report to Senedd Cymru that a direction has been given and lay a copy of the direction before the Senedd, and
  - (c) keep the direction under review.
- (8) The Commission must comply with a direction given under this section.