



# Tertiary Education and Research (Wales) Act 2022

2022 asc 1

## PART 3

### SECURING AND FUNDING TERTIARY EDUCATION AND RESEARCH

#### *Funding the Commission*

#### **85 Power of the Welsh Ministers to fund the Commission**

- (1) The Welsh Ministers may provide such funding to the Commission as they consider appropriate for the exercise of the Commission's functions.
- (2) The Welsh Ministers may make funding under subsection (1) subject to terms and conditions which may (among other things)—
  - (a) enable the Welsh Ministers to require the repayment, in whole or in part, of sums paid by them if any of the terms and conditions subject to which the sums were paid is not complied with;
  - (b) require the payment of interest in respect of any period during which a sum due to the Welsh Ministers in accordance with any of the terms and conditions remains unpaid;
  - (c) enable the Welsh Ministers to require the Commission to enter into an outcome agreement with a person to whom the Commission proposes to provide financial resources.
- (3) In subsection (2)(c), “an outcome agreement” means an agreement between—
  - (a) the Commission, and
  - (b) the person to whom the Commission proposes to provide financial resources, that sets out the activities to be carried out by that person for the purposes of contributing to the implementation of the Commission's strategic plan approved under section 15.

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*Changes to legislation: There are currently no known outstanding effects for the Tertiary Education and Research (Wales) Act 2022, Section 85. (See end of Document for details)*

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- (4) An outcome agreement may be required under subsection (2)(c)—
- (a) in all cases where the Commission proposes to provide financial resources;
  - (b) in all cases where the Commission proposes to provide financial resources subject to specified exceptions;
  - (c) in those cases where the Commission proposes to provide financial resources to specified persons or to persons of a specified description;
  - (d) in those cases where the Commission proposes to provide financial resources for specified purposes or for purposes of a specified description;
  - (e) in those cases where the Commission proposes to provide financial resources above or below a specified amount.
- (5) In subsection (4), “specified” means specified in the terms and conditions.

**Commencement Information**

- I1** S. 85 not in force at Royal Assent, see [s. 148\(2\)](#)
- I2** [S. 85\(1\)\(2\)\(a\)\(b\)](#) in force at 4.9.2023 by [S.I. 2023/919](#), [art. 2\(n\)](#)
- I3** [S. 85\(2\)\(c\)\(3\)-\(5\)](#) in force at 1.4.2024 by [S.I. 2023/919](#), [art. 4\(c\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Tertiary Education and Research (Wales) Act 2022, Section 85.