



Learning and Skills Act 2000

2000 CHAPTER 21

PART II

[^{F1}FURTHER EDUCATION AND SIXTH FORM EDUCATION: WALES]

Main powers

35 Financial resources: conditions.

- (1) If the [^{F1}Welsh Ministers themselves provide] financial resources [^{F2}under section 34][^{F3}they may impose] conditions; and the conditions may include any provisions described below.
- (2) The conditions may—
 - (a) require the [^{F4}Welsh Ministers] or a person designated [^{F5}by them] to be allowed access to a person's accounts and documents and to be given rights in relation to a person's computers and associated apparatus and material;
 - (b) require a person to whom financial resources are provided to give to the [^{F4}Welsh Ministers] information [^{F6}they request] for the purpose of carrying out [^{F7}their functions][^{F8}under this Part].
- (3) The conditions may require a person providing or proposing to provide education or training (the provider) to make arrangements providing for all or any of the following—
 - (a) for the provider to charge fees by reference to specified criteria;
 - (b) for the provider to make awards by reference to specified criteria;
 - (c) for the provider to recover amounts from persons receiving education or training or from employers (or from both);
 - (d) for amounts to be determined by reference to specified criteria where provision is made under paragraph (c);
 - (e) for specified exemptions to operate where provision is made under paragraph (c);

Status: Point in time view as at 19/01/2011. This version of this provision has been superseded.

Changes to legislation: Learning and Skills Act 2000, Section 35 is up to date with all changes known to be in force on or before 08 June 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)

- (f) for the provider to make provision specified in a report of an assessment conducted under section [F9]139A or] 140.
- (4) F10
- (5) The conditions may—
- (a) enable the [F11Welsh Ministers] to require the repayment (in whole or part) of sums paid by the [F11Welsh Ministers] if any of the conditions subject to which the sums were paid is not complied with;
- (b) require the payment of interest in respect of any period in which a sum due to the [F11Welsh Ministers] in accordance with any condition is unpaid.
- (6) F10

Textual Amendments

- F1** Words in s. 35(1) substituted (19.1.2011) by [Learning and Skills \(Wales\) Measure 2009 \(nawm 1\)](#), s. 49(2), [Sch. para. 7\(a\)\(i\)](#); S.I. 2011/97, art. 2(1)(p)
- F2** Words in s. 35(1) inserted (1.4.2006) by [National Council for Education and Training for Wales \(Transfer of Functions to the National Assembly for Wales and Abolition\) Order 2005 \(S.I. 2005/3238\)](#), art. 1(1), [Sch. 1 para. 55\(a\)\(ii\)](#) (with art. 7)
- F3** Words in s. 35(1) substituted (19.1.2011) by [Learning and Skills \(Wales\) Measure 2009 \(nawm 1\)](#), s. 49(2), [Sch. para. 7\(a\)\(ii\)](#); S.I. 2011/97, art. 2(1)(p)
- F4** Words in s. 35(2) substituted (19.1.2011) by [Learning and Skills \(Wales\) Measure 2009 \(nawm 1\)](#), s. 49(2), [Sch. paras. 2, 3](#); S.I. 2011/97, art. 2(1)(p)
- F5** Words in s. 35(2) substituted (19.1.2011) by [Learning and Skills \(Wales\) Measure 2009 \(nawm 1\)](#), s. 49(2), [Sch. para. 7\(b\)\(i\)](#); S.I. 2011/97, art. 2(1)(p)
- F6** Words in s. 35(2) substituted (19.1.2011) by [Learning and Skills \(Wales\) Measure 2009 \(nawm 1\)](#), s. 49(2), [Sch. para. 7\(b\)\(ii\)](#); S.I. 2011/97, art. 2(1)(p)
- F7** Words in s. 35(2) substituted (19.1.2011) by [Learning and Skills \(Wales\) Measure 2009 \(nawm 1\)](#), s. 49(2), [Sch. para. 7\(b\)\(iii\)](#); S.I. 2011/97, art. 2(1)(p)
- F8** Words in s. 35(2) inserted (1.4.2006) by [National Council for Education and Training for Wales \(Transfer of Functions to the National Assembly for Wales and Abolition\) Order 2005 \(S.I. 2005/3238\)](#), art. 1(1), [Sch. 1 para. 55\(b\)\(ii\)](#) (with art. 7)
- F9** Words in s. 35(3)(f) inserted (26.11.2008) by [Education and Skills Act 2008 \(c. 25\)](#), s. 173(1)(g), [Sch. 1 para. 76\(c\)](#)
- F10** S. 35(4)(6) repealed (1.9.2002) by [2001 c. 10](#), ss. 34(8), 42(6), [Sch. 9](#) (with s. 43(13)); S.I. 2002/2217, [art. 3](#), [Sch. 1 Pt. 1](#)
- F11** Words in s. 35(5) substituted (19.1.2011) by [Learning and Skills \(Wales\) Measure 2009 \(nawm 1\)](#), s. 49(2), [Sch. paras. 2, 3](#); S.I. 2011/97, art. 2(1)(p)

Commencement Information

- I1** S. 35 not in force at Royal Assent see s. 154; s. 35 in force for W. at 1.4.2001 by [S.I. 2001/1274](#), [art. 2](#), [Sch. Pt. 1](#)

Status:

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