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**Changes to legislation:** There are currently no known outstanding effects for the Tertiary Education and Research (Wales) Act 2022, Paragraph 3. (See end of Document for details)

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## SCHEDULE 1

### COMMISSION FOR TERTIARY EDUCATION AND RESEARCH

#### *The chair and ordinary members*

- 3 (1) The chair and ordinary members hold and vacate office in accordance with the terms and conditions of their appointment.
- (2) Those terms and conditions are to be determined by the Welsh Ministers, subject to the provisions of this Schedule.
- (3) A person is disqualified from being the chair or an ordinary member if the person is—
- (a) a Member of the Senedd;
  - (b) a member of the House of Commons;
  - (c) a member of the governing body of a tertiary education provider in Wales that is an institution within the further education sector;
  - (d) a member of the governing body of a tertiary education provider in Wales that is an institution within the higher education sector.
- (4) A person who becomes disqualified ceases to hold office as the chair or as an ordinary member.
- (5) The chair and ordinary members are to be appointed for a term of up to 5 years.
- (6) A person who has held office as the chair or as an ordinary member may be reappointed.
- (7) The chair or an ordinary member may resign from office by giving notice to the Welsh Ministers and to the Commission.
- (8) The Commission may, with the Welsh Ministers' approval, pay or make provision for the payment of remuneration, allowances and pension to, or in respect of, a person who is or has been the chair or an ordinary member.
- (9) The Welsh Ministers may by notice to the chair, the deputy chair or an ordinary member remove that person from office if they are satisfied that the person is unable or unfit to carry out the functions of office, or is otherwise failing to do so.
- (10) The Welsh Ministers may by notice to the chair, the deputy chair or an ordinary member suspend that person from office, if it appears to them that there may be grounds to exercise the power in sub-paragraph (9).
- (11) A suspension by notice under sub-paragraph (10) has effect—
- (a) for a period specified in the notice, or
  - (b) if no period is specified in the notice, until further notice by the Welsh Ministers to the person suspended.
- (12) A person removed from office as the deputy chair also ceases to hold office as the chair of the RIC.
- (13) A person suspended from office as the deputy chair is also suspended from office as the chair of the RIC.

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**Commencement Information**

- I1** Sch. 1 para. 3 not in force at Royal Assent, see [s. 148\(2\)](#)
- I2** Sch. 1 para. 3 in force at 15.12.2022 by [S.I. 2022/1318](#), [art. 2\(c\)\(ii\)](#)

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