



Llywodraeth Cymru
Welsh Government

WRITTEN STATEMENT BY THE WELSH GOVERNMENT

TITLE	Amendments to UK Government legislation to support the establishment of the Commission for Tertiary Education and Research
DATE	22 May 2024
BY	Lynne Neagle MS, Cabinet Secretary for Education

The Tertiary Education and Research (Wales) Act 2022 (the 2022 Act) provides for the establishment of the Commission for Tertiary Education and Research (the Commission) and the dissolution of the Higher Education Funding Council for Wales (HEFCW).

The Commission will be the first ever national steward for the whole tertiary education and research sector, bringing together responsibility for overseeing Wales' higher and further education, school sixth forms, apprenticeships and research and innovation in one place. Through the reforms provided for in the 2022 Act we are seeking to shape a new structure and system to better support learners, and provide them with the knowledge and skills for lifelong learning, development and success.

A small number of technical amendments that are outside the Senedd's legislative competence are required as a consequence of the 2022 Act.

When issues arising from Senedd legislation require amendments to legislation beyond the Senedd's legislative competence, an Order under section 150 'Power to make consequential provision' of the Government of Wales Act 2006 can be developed in partnership with the Westminster Government.

The Secretary State for Wales has made and laid the [Tertiary Education and Research \(Wales\) Act 2022 \(Consequential Amendments\) \(No. 2\) Order 2024](#) before the UK Parliament. This Order provides for consequential amendments to the following legislation:

- The Charities (Accounts and Reports) Regulations 2008 – substituting references to HEFCW with references to the Commission, so that charities who receive financial support from funds administered by the Commission fall within the definition of “special case charity” for the purposes of these Regulations.

- The Charities (Exception from Registration) Regulations 2010 - substituting references to HEFCW with references to the Commission, for the purposes of ensuring that institutions that previously fell within a category listed in regulation 3 will continue to be exempt from the duty to register with the Charity Commission.