

# **SL(6)509 – The Tertiary Education and Research (Wales) Act 2022 (Commencement No. 4 and Transitory and Transitional Provisions) Order 2024**

## **Background and Purpose**

The Tertiary Education and Research (Wales) Act 2022 (“the Act”) provides for a new statutory framework for publicly funded tertiary education and research in Wales. In particular, the Act establishes a new Commission for Tertiary Education and Research in place of the Higher Education Funding Council for Wales (“HEFCW”).

In accordance with section 148(1) of the Act, certain provisions came into force on 9 September 2022, the day after the day on which the Act received Royal Assent. Section 148(2) provides that the other provisions of the Act come into force on a day appointed by the Welsh Ministers in an order made by statutory instrument.

The Tertiary Education and Research (Wales) Act 2022 (Commencement No. 4 and Transitory and Transitional Provisions) Order 2024 (“the Order”) is the fifth order made by the Welsh Ministers using the power in section 148(2).

Parts 2 and 3 of the Order bring into force various provisions of the Act on 1 August 2024 and 1 April 2025 respectively. Some provisions are brought into force fully, some are brought into force to the extent specified and some are subject to transitory or transitional provisions.

Part 4 of the Order makes transitory provision relating to the Act and to other associated primary and secondary legislation. According to the Explanatory Note, these are temporary modifications to legislation arising in connection with the dissolution of HEFCW and the transition to the registration system established under Part 2 of the Act.

Part 5 makes transitional provision in connection with the dissolution of HEFCW.

## **Procedure**

No procedure

## **Scrutiny under Standing Order 21.7**

The following point is identified for reporting under Standing Order 21.7 in respect of this Order.

1. It is noted that the Order, which is not subject to any Senedd scrutiny procedure, makes extensive transitory and transitional provision, including in relation to primary legislation.



## Government response

A Welsh Government response is not required.

### Legal Advisers

**Legislation, Justice and Constitution Committee**

**18 September 2024**



Senedd Cymru

**Pwyllgor Deddfwriaeth, Cyfiawnder a'r Cyfansoddiad**

—  
Welsh Parliament

**Legislation, Justice and Constitution Committee**