STATUTORY INSTRUMENTS

1989 No. 220

EDUCATION, ENGLAND AND WALES

The Higher Education (Wales) Regulations 1989

Made - - - -	*15th February 1989*
Laid before Parliament	*1st March 1989*
Coming into force	*1st April 1989*

The Secretary of State for Wales, in exercise of the powers conferred on the Secretary of State by sections 218(9)(d) and 232(5) of the Education Reform Act 1988(**a**) and all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Higher Education (Wales) Regulations 1989 and shall come into force on 1st April 1989.

Interpretation

2. In these Regulations–

"course of initial teacher training" means a course for the initial training of teachers in schools which is, for the time being, approved by the Secretary of State for the purposes of paragraph 2(a) or 2(b)(i) of Schedule 5 to the Education (Teachers) Regulations 1982(**b**);

"further education" has the meaning assigned to that expression by section 41 of the Education Act 1944(**c**);

"higher education" has the meaning assigned to that expression by section 120(1) of the Education Reform Act 1988; and

"relevant course" means a full-time course of 4 or more weeks duration or a part-time course involving more than 60 hours instruction.

Approval of Courses of Higher Education

3.—(1) In the case of an institution in Wales which provides higher education or both further education and higher education and is–

(a) maintained by a local education authority; or

(b) designated by the Schedule to these Regulations as an institution substantially dependent for its maintenance on grants under section 100(1)(b) of the Education Act 1944;

a relevant course of higher education shall not be provided thereat without the approval of the Secretary of State.

(2) An approval for the purposes of this regulation may apply generally (subject to such exceptions (if any) as are specified therein) or only in a particular case.

(**a**) 1988 c.40.

(**b**) S.I. 1982/106; These Regulations, which were made under section 27 of the Education Act 1980 (c.20) (which is repealed and re-enacted (with modifications) by section 218 of the Education Act 1988), continue to have effect by virtue of section 17(2) of the Interpretation Act 1978 (c.30).

(**c**) 1944 c.31. Section 41 was substituted by section 120(2) of the Education Reform Act 1988.

Discontinuance of Courses of Higher Education

4. A relevant course of higher education shall cease to be provided at an institution of a kind referred to in regulation 3 above, if the Secretary of State so directs, at such time as may be specified in his direction subject, however, to such transitional provisions, if any, as may be so specified.

Restrictions on Teacher Training Courses

5.—(1) This regulation applies in the case of a course of initial teacher training which is a relevant course of higher education.

(2) Without prejudice to the powers of the Secretary of State under regulations 3 and 4 above, he may from time to time give directions as to the number and categories of students to be admitted to such a course provided at an institution of a kind referred to in regulation 3 above.

SCHEDULE

Regulation 3

INSTITUTIONS DESIGNATED AS SUBSTANTIALLY DEPENDENT FOR THEIR MAINTENANCE ON GRANTS UNDER SECTION 100(1)(b) OF THE EDUCATION ACT 1944

Coleg Harlech, Gwynedd
Trinity College, Carmarthen, Dyfed.

Peter Walker
Secretary of State for Wales

15th February 1989

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations made under sections 218(9)(d) and 232(5) of the Education Reform Act 1988, which apply only in relation to maintained institutions in Wales and to the institutions in Wales designated by the Schedule thereto, provide for the provision of certain courses of higher education as therein specified to be subject to the approval of the Secretary of State (regulation 3). The Regulations enable the Secretary of State to direct that such a course shall cease to be provided (regulation 4) and, in the case of a course of initial teacher training, to give directions with respect to the number and categories of students to be admitted to a course (regulation 5). The Regulations succeed, as regards Wales, provisions contained in the Education (Schools and Further Education) Regulations 1981 (S.I. 1981/1086) as amended by the Education (Schools and Further Education) (Amendment) Regulations 1983 and 1987 (S.I. 1983/262 and 1987/879). Those 1981 Regulations (as amended) were made under section 27 of the Education Act 1980 which is superseded by section 218 of the Education Reform Act 1988 under which the current regulations are made.

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