WELSH STATUTORY INSTRUMENTS

2011 No. 965 (W.139)

EDUCATION, WALES

The Higher Education Funding Council for Wales (Supplementary Functions) Order 2011

Made - - - -	*28 March 2011*
Laid before the National Assembly for Wales - -	*29 March 2011*
Coming into force - -	*19 April 2011*

The Welsh Ministers, in exercise of the powers conferred upon the Secretary of State by section 69(5) and 89(4) of the Further and Higher Education Act 1992(**1**), and now exercisable by them(**2**) make the following Order:

Title, commencement, application and interpretation

1.—(1) The title of this Order is the Higher Education Funding Council for Wales (Supplementary Functions) Order 2011 and it comes into force on 19 April 2011.

(2) This Order applies in relation to Wales.

(3) In this Order—

(a) "the 2011 Regulations" ("*Rheoliadau 2011*") means the Assembly Learning Grants and Loans (Higher Education) (Wales) (No.2) Regulations 2011(**3**); and

(b) "new fee grant" ("*grant ffioedd newydd*") has the meaning given by regulation 2(1) of the 2011 Regulations.

Supplementary Functions

2. The following functions, being functions of the Welsh Ministers under the 2011 Regulations(**4**), are conferred on the Higher Education Funding Council for Wales(**5**)—

(**1**) 1992 c. 13; section 89(4) was amended by the Further Education and Training Act 2007 (c. 25), section 26 and Schedule 1, paragraph 11.

(**2**) The functions of the Secretary of State under section 69(5) were transferred, so far as exercisable in relation to Wales, to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I.1999/672) — see the reference to the Further and Higher Education Act 1992 in Schedule 1 to that order. By virtue of section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c. 32) those functions are exercisable by the Welsh Ministers.

(**3**) S.I. 2011/886 (W.130).

(**4**) Section 69(6) of the Further and Higher Education Act 1992 describes the circumstances in which a function is a supplementary function in relation to the Funding Council.