
W E L S H S T A T U T O R Y
I N S T R U M E N T S

2025 No. 1250 (W. 201)

EDUCATION, WALES

**The Education (Specified Courses
of Higher Education) (Wales)
Regulations 2025**

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made under section 89(1) and (2) of the Tertiary Education and Research (Wales) Act 2022 (“the Act”).

Section 89(3) of the Act enables the Commission for Tertiary Education and Research to provide financial resources to a person in respect of expenditure incurred, or to be incurred, by the person or a collaborating body (as defined in section 89(4) of the Act) for the purpose of the provision of an eligible course wholly or mainly in Wales or the provision of an eligible course to persons who are ordinarily resident in Wales.

Regulation 2 provides that the higher education courses set out in the Schedule to these Regulations are specified for the purposes of section 89(1) of the Act, meaning they are eligible courses for the purposes of that section.

Paragraph 1 of the Schedule sets out courses that fall within paragraph 1(g) or (h) of Schedule 6 to the Education Reform Act 1988 (“the 1988 Act”). A course is within paragraph 1(g) of Schedule 6 if it is a course in preparation for a professional examination and the standard of that examination is higher than the standard of examinations at advanced level for the General Certificate of Education (“GCE A-level”) or the examination for the National Certificate or the National Diploma of the Business & Technician Education Council (“BTEC”). A course is within paragraph 1(h) of Schedule 6 to the 1988 Act if the standard of the course (whether or not the course is in preparation for an examination) is higher than the standard of courses providing education in preparation for examinations at GCE A-Level or the examination

for the National Certificate or the National Diploma of the BTEC.

Paragraph 2 of the Schedule sets out courses for the Higher National Diploma or Higher National Certificate of the BTEC which are identified within an apprenticeship framework issued under section 19(1) of the Apprenticeships, Skills, Children and Learning Act 2009, namely a recognised Welsh framework, from which recognition has not been withdrawn under section 19(2) of that 2009 Act.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from the Tertiary Education Directorate, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

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Made 28 November 2025

Laid before Senedd Cymru 2 December 2025

Coming into force 25 December 2025

The Welsh Ministers, in exercise of the powers conferred on them by section 89(1) and (2) of the Tertiary Education and Research (Wales) Act 2022⁽¹⁾, make the following Regulations.

Title and coming into force

1.—(1) The title of these Regulations is the Education (Specified Courses of Higher Education) (Wales) Regulations 2025.

(2) These Regulations come into force on 25 December 2025.

Specification of higher education courses

2.—(1) The courses of higher education set out in the Schedule to these Regulations are specified for the purposes of section 89(1) of the Tertiary Education and Research (Wales) Act 2022.

(2) In this regulation, “higher education” means education provided by means of a course of any description mentioned in Schedule 6 to the Education Reform Act 1988⁽²⁾.

(1) 2022 asc 1.

(2) 1988 c. 40.

Vikki Howells

Minister for Further and Higher Education, under
authority of the Cabinet Secretary for Education, one
of the Welsh Ministers

28 November 2025

SCHEDULE Regulation 2

1. A course within paragraph 1(g) or (h) of Schedule 6 to the Education Reform Act 1988 (courses in preparation for professional examinations at a higher level or providing education at a higher level).

2.—(1) A course for the Higher National Diploma or Higher National Certificate of the Business & Technician Education Council which is identified within a recognised Welsh framework.

(2) In this paragraph, “recognised Welsh framework” has the meaning given by section 12(4) of the Apprenticeships, Skills, Children and Learning Act 2009⁽¹⁾.

(1) 2009 c. 22. There are amendments to section 12 that are not relevant to these Regulations. Section 12 is due to be repealed by the Tertiary Education and Research (Wales) Act 2022, Schedule 4, paragraph 24(1) and (2)(b).