

*Changes to legislation: Higher Education (Wales) Act 2015, Cross Heading: Plans approved under the Higher Education Act 2004 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

## SCHEDULE

### CONSEQUENTIAL AND TRANSITIONAL PROVISION ETC

#### PART 2

##### TRANSITIONAL PROVISION

###### *Plans approved under the Higher Education Act 2004*

- 27 Paragraph 28 applies to the extent that a 2004 Act plan specifies, or provides for the determination of, a limit which is not to be exceeded by the fees payable by a person who is a qualifying person—
- (a) in connection with the person's undertaking a course that is a qualifying course, and
  - (b) in respect of an academic year applicable to the course and beginning during the transitional period (a “transitional academic year”).

###### **Commencement Information**

- I1** Sch. para. 27 in force at 1.8.2015 by S.I. 2015/1327, art. 4(b)(i)

- 28 The plan is to be treated during the transitional period as being a fee and access plan that has been approved under section 7, for the purposes of—
- (a) section 4(4)(b);
  - (b) sections 10 to 12, 14, 15(1)(a) and 16;
  - (c) sections 17 to 23;
  - (d) section 24(2)(a);
  - (e) section 28(2);
  - (f) sections 51(1)(e), 52(3) and 54(1);
  - (g) any other enactment, whenever enacted or made, specified in regulations (an “applied enactment”).

But this is subject to any provision made under paragraph 30.

###### **Commencement Information**

- I2** Sch. para. 28(a)-(f) in force at 1.8.2015 by S.I. 2015/1327, art. 4(b)(ii)  
**I3** Sch. para. 28(g) in force at 20.5.2015 for specified purposes by S.I. 2015/1327, art. 2(t)(i)

- 29 (1) For this purpose—
- (a) the plan is to be treated as having been approved under section 7 on the day on which this paragraph comes into force;
  - (b) the period that is the transitional period (see sub-paragraph (2)) is to be treated as being the period specified in the plan under section 4;
  - (c) the limit provided by the plan for a course and a transitional academic year is to be treated as being the applicable fee limit for the course and academic year in question;

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- (d) the institution to which the plan relates is to be treated as being a regulated institution.
- (2) The transitional period is the period beginning with the coming into force of this paragraph and ending with 31 August 2017.
- (3) A “2004 Act plan” is a plan approved in relation to Wales, under section 34 of the Higher Education Act 2004, before the coming into force of this paragraph.

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**Modifications etc. (not altering text)**

- C1** Sch. para. 29(3) modified (31.7.2015) by [The Higher Education \(Qualifying Courses, Qualifying Persons and Supplementary Provision\) \(Wales\) Regulations 2015 \(No. 1484\)](#), regs. 1(1), 6

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**Commencement Information**

- I4** Sch. para. 29 in force at 1.8.2015 by [S.I. 2015/1327](#), [art. 4\(b\)\(iii\)](#)

- 30 (1) Regulations may make provision about the application of a provision referred to in paragraph 28(a) to (f), or an applied enactment, to a 2004 Act plan during the transitional period.
- (2) The regulations may (among other things) provide that a provision or an applied enactment—
- (a) is not to apply to a 2004 Act plan during the transitional period, or
  - (b) is to apply with modifications.

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**Commencement Information**

- I5** Sch. para. 30 in force at 20.5.2015 for specified purposes by [S.I. 2015/1327](#), [art. 2\(t\)\(ii\)](#)

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act repealed by [2022 asc 1 Sch. 4 para. 31](#)