



# Higher Education (Wales) Act 2015

2015 anaw 1

## PART 2

### FEE AND ACCESS PLANS

#### *Contents of fee and access plan*

#### **6 Promotion of equality of opportunity and higher education**

- (1) A fee and access plan relating to an institution must include such provisions relating to the promotion of equality of opportunity or the promotion of higher education as may be prescribed.
- (2) A fee and access plan may also include further provisions relating to the promotion of equality of opportunity or the promotion of higher education.
- (3) The provisions that may be prescribed under subsection (1) for inclusion in a plan include provisions requiring the governing body—
  - (a) to take measures to attract applications from prospective students who are members of under-represented groups (or to secure the taking of such measures);
  - (b) to take measures to retain students who are members of under-represented groups (or to secure the taking of such measures);
  - (c) to provide financial assistance to students (or to secure the provision of such assistance);
  - (d) to make available to students or prospective students information about financial assistance available to students from any source (or to secure that such information is made available).
- (4) The provisions that may be prescribed for inclusion in a plan also include provisions—
  - (a) setting out objectives relating to the promotion of equality of opportunity and the promotion of higher education;
  - (b) setting out information about expenditure in respect of those objectives;
  - (c) relating to the monitoring by the governing body of—

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*Changes to legislation: Higher Education (Wales) Act 2015, Section 6 is up to date with all changes known to be in force on or before 23 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*

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- (i) compliance with the provisions of the plan;
  - (ii) progress in achieving any objectives set out in the plan by virtue of paragraph (a).
- (5) But the power to prescribe provisions for inclusion in a fee and access plan may not be exercised so as to require a plan relating to an institution to include provision—
- (a) referring to particular courses or to the manner in which courses are taught, supervised or assessed,
  - (b) relating to the criteria for the admission of students, or
  - (c) requiring the institution to incur expenditure, in any academic year, of an amount exceeding the amount of the qualifying fee income of the institution that is attributable to that academic year.
- (6) For the purposes of this section—
- (a) the amount of the qualifying fee income of an institution that is attributable to an academic year is the aggregate amount of those fees payable to the institution, in respect of that academic year, in relation to which a fee limit applies that is specified in the fee and access plan relating to the institution, or for the determination of which the fee and access plan relating to the institution provides;
  - (b) “under-represented groups”, in relation to a fee and access plan, are groups that, as at the date of the plan's approval under section 7, are under-represented in higher education.
- (7) References in this Act to the general requirements of a fee and access plan are to provisions included in the plan by virtue of this section which require the governing body of the institution to do (or not to do) specified things.

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**Commencement Information**

- I1** S. 6(1)(3)-(6) in force at 20.5.2015 for specified purposes by [S.I. 2015/1327, art. 2\(e\)](#)
- I2** S. 6(1)(3)-(6) in force at 1.1.2016 in so far as not already in force by [S.I. 2015/1327, art. 6\(d\)](#)
- I3** S. 6(2) in force at 1.1.2016 by [S.I. 2015/1327, art. 6\(d\)](#)
- I4** S. 6(7) in force at 25.5.2015 by [S.I. 2015/1327, art. 3\(a\)](#)

**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](#)