

QUALIFICATIONS WALES ACT 2015

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 4: Priority Qualifications and Approval of Qualifications

Section 14: Restricted priority qualifications

31. This section gives Qualifications Wales the power to decide that some qualifications on the priority qualification list should be restricted to a maximum number of ‘forms’ (this is a particular version of the qualification offered by a particular awarding body: section 56(4)) which may be approved by Qualifications Wales at any one time. For example, Qualifications Wales may decide that it only intends to approve one version of GCSE English Language. In this case it would make a determination under this section and this qualification would become a restricted priority qualification.
32. Qualifications Wales may only make such a decision if it is satisfied that the intended restriction is desirable in light of its principal aims, and the objectives of:
 - a) avoiding inconsistency between different forms of a qualification; and
 - b) enabling Qualifications Wales to exercise choice between awarding bodies who may want to develop a new form of the qualification or between different forms of qualifications submitted for approval.
33. Prior to making and publishing a decision to restrict the number of approved forms of a qualification, Qualifications Wales must notify each recognised awarding body and any other person Qualifications Wales thinks might reasonably be expected to have an interest in the proposal and consider any responses it receives from those persons that relate to the proposal.
34. Once Qualifications Wales has published a decision to restrict a qualification to a maximum number, it must then exercise its functions under sections 15 to 17 to ensure that no more than the maximum number of forms of the qualification are approved. Qualifications Wales may enter into arrangements with an awarding body for the awarding body to develop the qualification and may approve the form of qualification developed (sections 15 and 16 refer) or select for approval from any forms of qualification submitted by recognised awarding bodies (section 17 refers). A determination under this section does not directly affect any existing approvals of the forms of the qualification concerned. However, it may result in Qualifications Wales taking steps to withdraw approval under section 27 and it will directly affect any existing designations of the form of qualification concerned (see section 30(3) and (4) for details of where section 29 designations cease to have effect on the approval of a restricted priority qualification).