

QUALIFICATIONS WALES ACT 2015

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 5: Designation of Other Qualifications

Section 30: Further provision about section 29 designations

67. This section requires designations under section 29 to be time limited: at the time it makes a designation Qualifications Wales is required to specify a start and end date to the designation. A designation will also cease to have effect earlier in the following circumstances (and in these cases Qualifications Wales must notify the awarding body of the date from which it ceases to have effect):
- a) if the awarding body's recognition ceases in respect of the form of qualification that has been designated (in which case the designation ceases to have effect at the same time as the recognition ceases to have effect);
 - b) if the form of designated qualification is approved under Part 4, from the date that it becomes an approved qualification – although Qualifications Wales may make transitional arrangements under section 31 to treat the qualification as approved for specified purposes for an extended period of time in order to avoid prejudice to learners; and
 - c) from the point that a form of the qualification becomes approved as a restricted priority qualification – although, again, Qualifications Wales may make transitional arrangements under section 31.
68. Qualifications Wales may specify the purpose for which a designation has effect, which could be by reference to the circumstances in which, or the persons to whom, a designated qualification may be awarded. This could enable Qualifications Wales to state, for example, that the qualification must not be offered to learners younger than any lower age limit placed on the qualification by Qualifications Wales (similar to, for example, an award limitation condition for approved qualifications - see section 34(3) and (4)). Where purposes have been specified, a course that leads to a form of qualification that is designated must be provided in a way that complies with those purposes in order for it to be publicly funded (section 34(5)(b)).