



# Qualifications Wales Act 2015

2015 anaw 5

## PART 1

### OVERVIEW

#### 1 Overview

- (1) This section is an overview of the main provisions of the Act.
- (2) Part 2—
  - (a) establishes Qualifications Wales and (at Schedule 1) makes provision about its membership and governance arrangements,
  - (b) sets out the principal aims of Qualifications Wales, and
  - (c) requires Qualifications Wales, in exercising its functions, to act in a way that it considers appropriate for the purpose of achieving those aims.
- (3) Part 3 makes provision about the recognition by Qualifications Wales of bodies that award qualifications in Wales.
- (4) Part 4 makes provision about priority qualifications and the approval by Qualifications Wales of qualifications for award in Wales. It—
  - (a) requires Qualifications Wales and the Welsh Ministers to prepare a list of qualifications that are to be a priority for Qualifications Wales,
  - (b) enables Qualifications Wales in certain circumstances to determine that the number of forms of those qualifications approved by it should be restricted (either to one or more than one),
  - (c) enables Qualifications Wales to enter into arrangements with a body for the development of a new form of qualification to be awarded in Wales, where it has made a determination as described in paragraph (b) in respect of the qualification concerned, and
  - (d) enables Qualifications Wales to consider approving a qualification for award in Wales that is not included on the list referred to in paragraph (a).

- (5) Part 5 enables Qualifications Wales to designate a qualification for the purpose of enabling a course leading to it to be funded by the Welsh Ministers or a local authority in Wales, or provided by or on behalf of a maintained school in Wales.
- (6) Part 6—
- (a) provides that a course of education or training may be funded by the Welsh Ministers or a local authority in Wales, or provided by or on behalf of a maintained school in Wales, only if the form of the qualification to which it leads has been approved or designated by Qualifications Wales, and
  - (b) makes provision restricting the effect of conditions imposed by Ofqual, in respect of the award in Wales of a form of a qualification that has been approved by Qualifications Wales; and restricting the effect of conditions of recognition imposed by Qualifications Wales so that they do not apply in respect of the award of qualifications outside Wales.
- (7) Part 7 makes provision about steps that may be taken by Qualifications Wales if it considers that a body awarding qualifications in Wales has failed to comply with a condition to which its recognition, or the approval of a qualification awarded by it, is subject.
- (8) Part 8 makes provision about other functions of Qualifications Wales, including—
- (a) the power to provide consultancy and other services on a commercial basis,
  - (b) the duty to prepare a policy statement,
  - (c) how Qualifications Wales is to deal with complaints,
  - (d) fees that may be charged by Qualifications Wales, and
  - (e) the duty to have regard to certain principles in performing regulatory activities.
- (9) Part 9 makes general provision, including setting out an index of defined terms used in the Act.
- (10) In Part 9, section 56 sets out the meaning of the term “qualification” as used in the Act.