

SCHEDULES

SCHEDULE 12

OFQUAL AND THE QCDA: MINOR AND CONSEQUENTIAL AMENDMENTS

Education Act 1997 (c. 44)

15 (1) Section 30 (functions of the Welsh Ministers in relation to external vocational and academic qualifications) is amended as follows.

(2) For subsection (1) substitute—

“(1) This section applies for the purposes of the following functions—

- (a) to keep under review all aspects of relevant qualifications;
- (b) to provide support and advice to any person providing courses leading to relevant qualifications with a view to establishing and maintaining high standards in the provision of such courses;
- (c) to publish and disseminate, and assist in the publication and dissemination of, information relating to relevant qualifications;
- (d) to develop and publish criteria for the recognition of any person who awards or authenticates a relevant qualification;
- (e) to recognise in respect of the award or authentication of a specified relevant qualification or description of relevant qualification, any person who meets such criteria and applies to be so recognised;
- (f) to determine that a specified relevant qualification or description of relevant qualification is to be subject to a requirement of accreditation;
- (g) in respect of relevant qualifications which are subject to that requirement, to develop and publish criteria for the accreditation of particular forms of any such qualifications;
- (h) where a relevant qualification is subject to that requirement, to accredit a particular form of the qualification which meets such criteria and is submitted for accreditation by a person recognised under paragraph (e) in respect of the qualification;
- (i) to publish and disseminate, and assist in the publication and dissemination of, information relating to persons recognised under paragraph (e);
- (j) to make arrangements (whether or not with others) for the development, setting or administration of tests or tasks which fall to be undertaken with a view to obtaining relevant qualifications and which fall within a prescribed description.”

(3) In subsection (1A)—

- (a) for “(1)(d)” substitute “(1)(g)”;
- (b) for “(e)” substitute “(h)”.

Status: This is the original version (as it was originally enacted).

(4) For subsection (1B) substitute—

“(1B) The functions set out in subsection (1) are exercisable solely by the Welsh Ministers.”

(5) Omit subsections (1C), (1D) and (2).

(6) For subsection (5) substitute—

“(5) In this Chapter “relevant qualification” means an academic or vocational qualification awarded or authenticated in Wales other than an excluded qualification.

(5A) An excluded qualification is any of the following—

- (a) a foundation degree;
- (b) a first degree;
- (c) a degree at a higher level.

(5B) For the purposes of subsection (5) a qualification is awarded or authenticated in Wales if there are, or may reasonably be expected to be, persons seeking to obtain the qualification who are, will be or may reasonably be expected to be assessed for those purposes wholly or mainly in Wales.

(5C) In this section and sections 32 to 32C a reference to the award or authentication of a qualification includes a reference to—

- (a) the award or authentication of credits in respect of components of a qualification, and
- (b) the award or authentication of a qualification by a person either alone or jointly with others.”

(7) Omit subsection (6).

(8) In the title, for “external vocational and academic” substitute “relevant”.