

# Scheme made under Section 17 of the Qualifications Wales Act 2015



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## **PART A - STATUTORY BASIS FOR THE SCHEME**

In accordance with Section 17 of the Qualifications Wales Act (“the Act”), the present document makes provisions for applications for approval under section 17(2) of the Act, and our consideration of those applications.

### **17 Approval of a restricted priority qualification in the absence of section 15 arrangements**

(1) This section applies for the purpose of the approval by Qualifications Wales of a form of a qualification that is a restricted priority qualification, but in respect of which Qualifications Wales does not propose to enter into arrangements under section 15.

(2) Qualifications Wales may, on an application from a body that is recognised in respect of the award of the qualification concerned, if it considers it appropriate to do so approve a form of the qualification for award in Wales by the body concerned.

(3) Qualifications Wales must prepare a scheme making provision about—

(a) the making of applications for approval under subsection (2);

(b) the consideration by Qualifications Wales of those applications.

(4) Qualifications Wales must exercise its functions in accordance with the scheme.

(5) The scheme must provide for a procedure that is open, fair and transparent.

(6) Qualifications Wales may revise the scheme.

(7) The scheme must be published by Qualifications Wales.

(8) Subsection (2) is subject to section 21 (power to specify minimum requirements).

This scheme is made pursuant to Section 17(3) and is published pursuant to Section 17(7)

## **PART B – GENERAL PROVISIONS**

Applications for approval of a form of restricted priority qualification will be dealt with in accordance with the procedure set out in Part C of this Scheme.

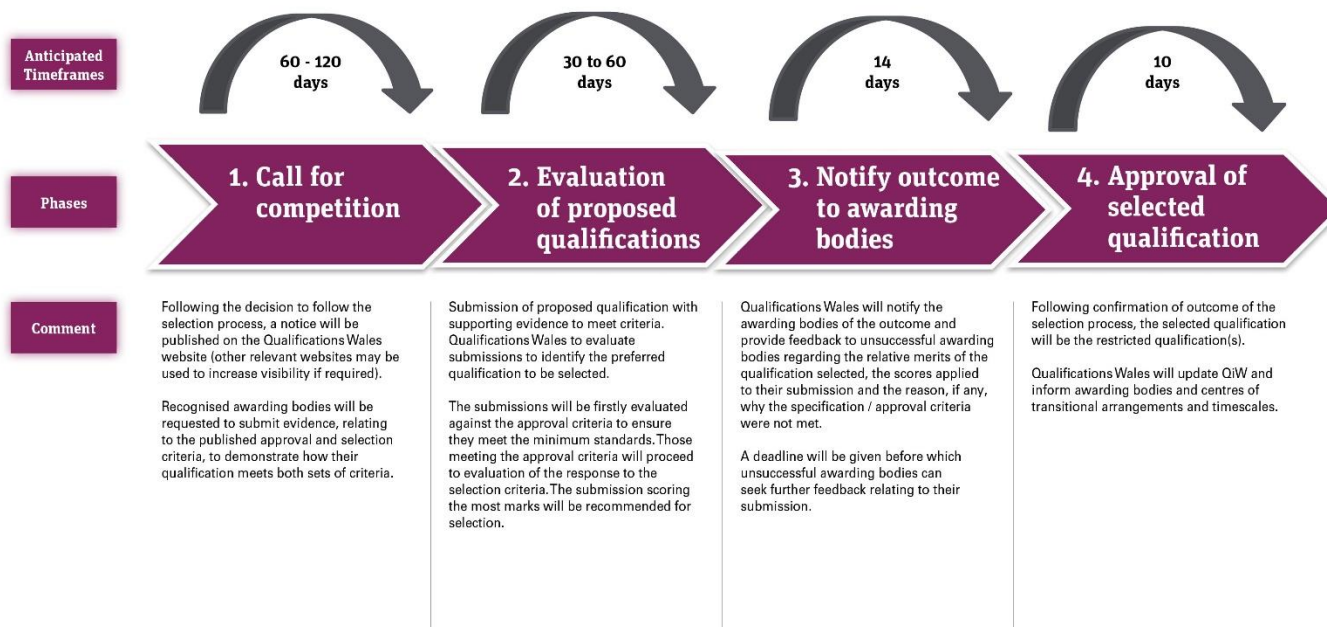
In carrying out the procedure, Qualifications Wales will act fairly, openly and proportionately, and in accordance with its published Restriction Policy

## **PART C – PROCEDURE**

In certain cases, we may award a contract, setting out arrangements made under section 17 of the Act, that may be covered by the Concession Contracts Regulations 2016. Where that is the case, Qualifications Wales will proceed in accordance with those Regulations.

In other cases, Qualifications Wales will apply the process shown below.

**FIGURE 2: SELECTION PROCESS AND DRAFT TIMETABLE**  
 THIS PROCESS STARTS FOLLOWING LISTING OF THE QUALIFICATION ON THE PRIORITY QUALIFICATIONS LIST & PUBLICATION OF THE DETERMINATION TO RESTRICT



**NOTE:** The timeframes are indicative only. The timescales for each of the phases are flexible and can be determined by Qualifications Wales as it sees fit. However, while there are no prescribed time limits, any time limits that are set will be both reasonable and proportionate by reference to the scope and nature of the process.