

*These notes refer to the Qualifications Wales Act 2015  
(c.5) which received Royal Assent on 05 August 2015*

# QUALIFICATIONS WALES ACT 2015

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### *Schedule 2: Transfers of Property and Staff to Qualifications Wales*

140. This Schedule enables the Welsh Ministers to transfer property, rights, liabilities and staff to Qualifications Wales through a transfer scheme or schemes. The Welsh Ministers must lay the scheme(s) before the National Assembly for Wales as provided in paragraph 5.
141. [Paragraph 1\(3\)](#) sets out a non-exhaustive list of the additional provisions that may be made in the scheme, including creating rights and imposing liabilities, providing for matters transferred to have a continuing effect, and to make provision which is the same as or similar to a provision made by the Transfer of Undertakings (Protection of Employment) Regulations 2006 in circumstances where those regulations do not apply.
142. [Paragraph 2](#) allows for a scheme to be modified by agreement and for such modifications to be back-dated to the original date of the scheme.
143. [Paragraph 3](#) provides clarification about how the employment of individuals in the civil service is to be treated for the purposes of a transfer under a scheme to Qualifications Wales.
144. [Paragraph 4](#) provides for the meanings of defined terms appearing in this Schedule.