

QUALIFICATIONS WALES ACT 2015

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 9: General

Section 57: General interpretation and index of defined expressions

115. Subsection (1) provides that the Act is to be read as one with the Education Act 1996. This means that general provisions and general definitions in that Act apply to this Act. For example, the term “special educational needs” (used in subsection (5)) has the same meaning in this Act as that given in the Education Act 1996 (see section 312 of that Act). But where an expression in this Act has a different interpretation from that in the Education Act 1996, the definition in this Act applies rather than the definition in the Education Act 1996.
116. Subsection (3) sets out definitions which are self-explanatory and subsection (4) deals with what it means for a person to be assessed wholly or mainly in Wales, which depends upon the location where the learner carries out the activities being assessed (for example sitting an examination or performing an observed activity) as opposed to the location of the person making the assessment judgement (for example an examiner marking question papers elsewhere in the UK).
117. Definitions are also provided in respect of what is meant in the Act by references to a person having a learning difficulty and to a body being recognised in respect of a qualification.