

## SCHEDULE

### CONSEQUENTIAL AND TRANSITIONAL PROVISION ETC

#### PART 2

##### TRANSITIONAL PROVISION

###### *Plans approved under the Higher Education Act 2004*

- 27 Paragraph 28 applies to the extent that a 2004 Act plan specifies, or provides for the determination of, a limit which is not to be exceeded by the fees payable by a person who is a qualifying person—
- (a) in connection with the person’s undertaking a course that is a qualifying course, and
  - (b) in respect of an academic year applicable to the course and beginning during the transitional period (a “transitional academic year”).
- 28 The plan is to be treated during the transitional period as being a fee and access plan that has been approved under section 7, for the purposes of—
- (a) section 4(4)(b);
  - (b) sections 10 to 12, 14, 15(1)(a) and 16;
  - (c) sections 17 to 23;
  - (d) section 24(2)(a);
  - (e) section 28(2);
  - (f) sections 51(1)(e), 52(3) and 54(1);
  - (g) any other enactment, whenever enacted or made, specified in regulations (an “applied enactment”).

But this is subject to any provision made under paragraph 30.

- 29 (1) For this purpose—
- (a) the plan is to be treated as having been approved under section 7 on the day on which this paragraph comes into force;
  - (b) the period that is the transitional period (see sub-paragraph (2)) is to be treated as being the period specified in the plan under section 4;
  - (c) the limit provided by the plan for a course and a transitional academic year is to be treated as being the applicable fee limit for the course and academic year in question;
  - (d) the institution to which the plan relates is to be treated as being a regulated institution.
- (2) The transitional period is the period beginning with the coming into force of this paragraph and ending with 31 August 2017.
- (3) A “2004 Act plan” is a plan approved in relation to Wales, under section 34 of the Higher Education Act 2004, before the coming into force of this paragraph.
- 30 (1) Regulations may make provision about the application of a provision referred to in paragraph 28(a) to (f), or an applied enactment, to a 2004 Act plan during the transitional period.

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*Status: This is the original version (as it was originally enacted).*

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- (2) The regulations may (among other things) provide that a provision or an applied enactment—
- (a) is not to apply to a 2004 Act plan during the transitional period, or
  - (b) is to apply with modifications.

*Members of Quality Assessment Committee*

- 31 (1) This paragraph applies to a person who, immediately before the coming into force of section 25, is a member of the Quality Assessment Committee established by HEFCW under section 70(1)(b) of the Further and Higher Education Act 1992 (“the old committee”).
- (2) On the coming into force of section 25, the person becomes a member of the committee established by HEFCW under that section (“the new committee”).
- (3) The person’s membership of the new committee is—
- (a) on the same terms as the person’s appointment to the old committee, and
  - (b) for a period equivalent to the period of that appointment which remains on the coming into force of section 25.