

QUALIFICATIONS WALES ACT 2015

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 7: Enforcement

Sections 41 to 43: Costs recovery for imposition of sanctions; appeals and interest

94. These sections enable Qualifications Wales to recover costs incurred by it in connection with imposing a sanction. The costs may be incurred either in the giving of a direction (section 37), the imposing of a monetary penalty (section 38) or for the withdrawal of recognition (paragraph 19 of Schedule 3).
95. [Section 41](#) describes the type of costs that may be recovered and specifies how Qualifications Wales can require costs recovery and the details to be provided to the awarding body.
96. [Section 42](#) enables awarding bodies to appeal to the First-tier Tribunal on any of the grounds set out in subsection (2) against a decision by Qualifications Wales to recover costs or as to the amount of the costs.
97. [Section 43](#) provides for interest to accrue on any amount of unpaid costs at the end of the period ending with the “applicable date” as defined in section 43 (2) (except for any period during which the requirement to pay is suspended under section 42(3)). The total amount of interest must not exceed the amount of the costs.