



Qualifications Wales Act 2015

2015 anaw 5

PART 6

FURTHER PROVISION RELEVANT TO RECOGNITION, APPROVAL AND DESIGNATION

Delineation of roles of Qualifications Wales and Ofqual

35 Award in Wales of an approved qualification: restriction on application of conditions imposed by Ofqual

- (1) Any condition to which recognition of an awarding body by Ofqual under section 132 of the [Apprenticeships, Skills, Children and Learning Act 2009 \(c.22\)](#) (recognition of awarding bodies) is subject does not apply in respect of, or for the purposes of, any award in Wales by that body of a form of qualification awarded as an approved qualification (but this does not affect the application, if any, of those conditions in respect of or for the purposes of the award in Wales of a form of qualification that is not awarded as an approved qualification, even if that form is designated under section 29).
- (2) Accordingly, in section 132 of the Apprenticeships, Skills, Children and Learning Act 2009, after subsection (9), insert—
 - “(10) See section 35 of the Qualifications Wales Act 2015 for provision about the effect of conditions imposed by or under this section, in respect of or for the purposes of the award in Wales by an awarding body of a form of a qualification awarded as an approved qualification (for which see section 22(4) of that Act).”
- (3) In this section “Ofqual” means the Office of Qualifications and Examinations Regulation established under section 127 of the Apprenticeships, Skills, Children and Learning Act 2009.

- (4) For the purposes of this section and section 36, the award of a form of a qualification in Wales is its award to persons assessed in respect of the qualification wholly or mainly in Wales.

36 Restriction on application of conditions imposed by Qualifications Wales

- (1) Any condition within subsection (2) applies only in respect of, or for the purposes of, the award in Wales by an awarding body of a form of a qualification in respect of the award of which the body is recognised under Part 3.
- (2) The conditions are the conditions to which recognition of the body under section 8 or 9 is subject.