

*Status: Point in time view as at 01/08/2015.*

*Changes to legislation: There are currently no known outstanding effects for the Higher Education (Wales) Act 2015, Cross Heading: Plans approved under the Higher Education Act 2004. (See end of Document for details)*

## 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”).

###### **Commencement Information**

- I1** Sch. para. 27 in force at 1.8.2015 by S.I. 2015/1327, art. 4(b)(i)

- 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.

###### **Commencement Information**

- I2** Sch. para. 28(a)-(f) in force at 1.8.2015 by S.I. 2015/1327, art. 4(b)(ii)  
**I3** Sch. para. 28(g) in force at 20.5.2015 for specified purposes by S.I. 2015/1327, art. 2(t)(i)

- 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;

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- (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.

**Modifications etc. (not altering text)**

- C1** Sch. para. 29(3) modified (31.7.2015) by [The Higher Education \(Qualifying Courses, Qualifying Persons and Supplementary Provision\) \(Wales\) Regulations 2015 \(No. 1484\)](#), regs. 1(1), 6

**Commencement Information**

- I4** Sch. para. 29 in force at 1.8.2015 by [S.I. 2015/1327](#), [art. 4\(b\)\(iii\)](#)

- 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.
- (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.

**Commencement Information**

- I5** Sch. para. 30 in force at 20.5.2015 for specified purposes by [S.I. 2015/1327](#), [art. 2\(t\)\(ii\)](#)

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