

SCHEDULE 3

FURTHER PROVISION ABOUT RECOGNITION OF AWARDING BODIES

Review of fee capping conditions

- 10 (1) Qualifications Wales must make arrangements for a decision under paragraph 9 to impose a fee capping condition to be subject to review at the request of the recognised body concerned.
- (2) The arrangements must—
- (a) specify the period within which a review may be requested,
 - (b) make provision for recommendations to be made by the person carrying out the review to Qualifications Wales in respect of the fee capping condition concerned,
 - (c) make provision for Qualifications Wales, having considered those recommendations, either to confirm or reverse its decision to impose the condition, or to alter the condition concerned, and
 - (d) require Qualifications Wales to notify the body concerned of the outcome of the review.
- (3) The arrangements must require a review to be carried out by a person who is independent of Qualifications Wales.
- (4) A person is independent of Qualifications Wales, for this purpose—
- (a) in the case of an individual, if he or she is neither a member of Qualifications Wales nor a member of Qualifications Wales' staff;
 - (b) in the case of a body, if none of the body's members is a member of Qualifications Wales nor a member of Qualifications Wales' staff.
- (5) If following a review Qualifications Wales confirms its decision to impose a condition, or alters the condition concerned, it must give notice to the body concerned—
- (a) setting out the condition, as confirmed or altered,
 - (b) giving reasons for the confirmation or alteration, and
 - (c) stating the date on which the condition, or the condition as altered, will take effect.