



Qualifications Wales Act 2015

2015 anaw 5

PART 7

ENFORCEMENT POWERS OF QUALIFICATIONS WALES

37 Power to give directions

- (1) If it appears to Qualifications Wales that an awarding body has failed or is likely to fail to comply with a condition to which its recognition is subject, Qualifications Wales may direct the body to take or refrain from taking specified steps with a view to securing compliance with the condition.
- (2) If it appears to Qualifications Wales that an awarding body that awards an approved qualification has failed or is likely to fail to comply with a condition to which that approval is subject, Qualifications Wales may direct the body to take or refrain from taking specified steps with a view to securing compliance with the condition.
- (3) Before giving an awarding body a direction under this section, Qualifications Wales must give notice to the body concerned of its intention to do so.
- (4) The notice must—
 - (a) set out Qualifications Wales' reasons for proposing to give the direction;
 - (b) specify when Qualifications Wales proposes to decide whether to give the direction.
- (5) In deciding whether to give the direction, Qualifications Wales must have regard to any representations made by the awarding body.
- (6) An awarding body must comply with a direction given to it under this section.
- (7) A direction under this section—
 - (a) must be in writing;
 - (b) may be varied or revoked by a later direction;
 - (c) is enforceable by a mandatory order on the application of Qualifications Wales.