



# Qualifications Wales Act 2015

2015 anaw 5

## PART 7

### ENFORCEMENT POWERS OF QUALIFICATIONS WALES

#### **41 Costs recovery for imposition of sanctions**

- (1) Qualifications Wales may, by notice, require an awarding body on which a sanction has been imposed to pay the costs incurred by Qualifications Wales in connection with imposing the sanction.
- (2) The references in subsection (1) to imposing a sanction are to—
  - (a) giving a direction under section 37;
  - (b) imposing a monetary penalty under section 38;
  - (c) withdrawing recognition under paragraph 19 of Schedule 3.
- (3) “Costs” includes, among other things—
  - (a) investigation costs;
  - (b) administration costs;
  - (c) costs of obtaining expert advice (including legal advice).
- (4) A notice given to an awarding body under subsection (1) must—
  - (a) specify the amount required to be paid,
  - (b) specify the period within which payment must be made, and
  - (c) contain a detailed breakdown of the amount specified.
- (5) The period specified under subsection (4)(b) must be a period of at least 28 days beginning with the date on which the notice is sent.
- (6) The notice must also contain information as to—
  - (a) how payment may be made,
  - (b) rights of appeal under section 42, and
  - (c) the consequences of non-payment.