



# Higher Education (Wales) Act 2015

2015 anaw 1

## PART 2

### FEE AND ACCESS PLANS

#### *Application for approval of fee and access plan*

#### **2 Application by institution for HEFCW's approval of fee and access plan**

- (1) The governing body of an institution within subsection (3) may apply to HEFCW for HEFCW's approval of a proposed fee and access plan relating to the institution.
- (2) A fee and access plan is a plan that complies with sections 4 to 6.
- (3) An institution within this subsection is an institution in Wales that—
  - (a) provides higher education, and
  - (b) is a charity.
- (4) Regulations may make provision about the making of applications for approval of a fee and access plan.

#### **Commencement Information**

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| <b>I1</b> | <a href="#">S. 2(1)-(3)</a> in force at 1.1.2016 by <a href="#">S.I. 2015/1327</a> , <a href="#">art. 6(a)</a>                               |
| <b>I2</b> | <a href="#">S. 2(4)</a> in force at 20.5.2015 for specified purposes by <a href="#">S.I. 2015/1327</a> , <a href="#">art. 2(a)</a>           |
| <b>I3</b> | <a href="#">S. 2(4)</a> in force at 1.1.2016 in so far as not already in force by <a href="#">S.I. 2015/1327</a> , <a href="#">art. 6(a)</a> |

#### **3 Designation of other providers of higher education**

- (1) The Welsh Ministers may, on the application of a provider of higher education within subsection (2), designate the provider for the purposes of this section.
- (2) A provider of higher education within this subsection is one that—

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*Changes to legislation: Higher Education (Wales) Act 2015, Cross Heading: Application for approval of fee and access plan is up to date with all changes known to be in force on or before 17 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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- (a) provides higher education in Wales and is a charity, but
  - (b) would not (but for the designation) be regarded as an institution for the purposes of this Act.
- (3) Subject to any provision made under subsection (4)(d), a provider of higher education designated under this section is, unless the designation is withdrawn, to be treated for the purposes of any provision made by or under this Act as being an institution.
- (4) Regulations may make provision about—
- (a) the making of applications for designation;
  - (b) the making of designations under this section (including provision about matters to be taken into account in determining whether to make a designation);
  - (c) the withdrawal of a designation (including provision about matters to be taken into account in determining whether to withdraw a designation);
  - (d) the effect of a withdrawal of a designation (including provision for a provider whose designation is withdrawn to continue to be treated as an institution for prescribed purposes).

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

- C1** Pt. 2 modified (1.9.2015) by [The Higher Education \(Wales\) Act 2015 \(Consequential Provision\) Order 2015 \(S.I. 2015/1353\)](#), arts. 1(2), 3
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**Commencement Information**

- I4** S. 3(1)-(3) in force at 1.9.2015 by [S.I. 2015/1327](#), art. 5(a)
- I5** S. 3(4) in force at 20.5.2015 for specified purposes by [S.I. 2015/1327](#), art. 2(b)
- I6** S. 3(4) in force at 1.9.2015 in so far as not already in force by [S.I. 2015/1327](#), art. 5(a)

**Changes to legislation:**

Higher Education (Wales) Act 2015, Cross Heading: Application for approval of fee and access plan is up to date with all changes known to be in force on or before 17 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act repealed by [2022 asc 1 Sch. 4 para. 31](#)