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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations make provision about fee and access plans as defined in section 2(2) of the Higher Education (Wales) Act 2015.

Fee and access plans may be submitted to the Higher Education Funding Council for Wales (“HEFCW”) for approval by institutions which meet the criteria i.e. that they provide higher education in Wales and are a charity. Approval of a fee and access plan by HEFCW leads to the automatic designation of an institution’s courses for the purposes of statutory student support. The Welsh Ministers provide student support in respect of designated courses under regulations made by them by virtue of section 22 of the Teaching and Higher Education Act 1998.

Regulation 3 provides that an application for a fee and access plan must include information relating to an institution’s financial viability, the organisation and management of its financial affairs and the quality of the education provided by, or on behalf of, the institution.

Regulations 4 to 6 prescribe the provisions relating to the promotion of equality of opportunity and the promotion of higher education that a fee and access plan must include.

Regulation 7 specifies the matters that HEFCW must take into account when deciding whether, or not, to approve a fee and access plan.

Regulation 8 requires publication of an approved plan.

Regulation 9 provides for the variation of an approved plan.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from the Higher Education Division, Cathays Park, Cardiff, CF10 3NQ.