

HIGHER EDUCATION (WALES) BILL –STAGE 3 - GOVERNMENT AMENDMENTS

This table provides information about the amendments tabled in the name of Huw Lewis AM on 7 January 2015

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
1	Section 4, page 3, line 17, leave out 'any maximum period prescribed for the purposes of this section' and insert 'two years'.	Adran 4, tudalen 3, llinell 18, hepgorer 'nag unrhyw gyfnod hwyaf a ragnodir at ddibenion yr adran hon' a mewnosoder 'na dwy flynedd'.	<p>The purpose of this amendment is to place the maximum period in respect of which an approved fee and access plan is to have effect on the face of the Bill (at two years).</p> <p>The effect of this amendment is to restrict the period in respect of which a fee and access plan is to have effect to a maximum of two years.</p>
2	<p>Section 4, page 3, after line 18, insert—</p> <p>() Regulations may amend subsection (2) to substitute a different period for the period for the time being mentioned in that subsection.</p> <p>() Before making regulations under subsection (<i>first subsection to be inserted by this amendment</i>), the Welsh Ministers must consult—</p> <p>(a) HEFCW,</p> <p>(b) the governing body of each regulated institution, and</p> <p>(c) any other persons they think appropriate.'</p>	<p>Adran 4, tudalen 3, ar ôl llinell 19, mewnosoder—</p> <p>() Caiff rheoliadau ddiwygio is-adran (2) i roi cyfnod gwahanol yn lle'r cyfnod a grybwyllir am y tro yn yr is-adran honno.</p> <p>() Cyn gwneud rheoliadau o dan is-adran (<i>yr is-adran gyntaf i gael ei mewnosod gan y gwelliant hwn</i>), rhaid i Weinidogion Cymru ymgynghori â'r canlynol—</p> <p>(a) CCAUC,</p> <p>(b) corff llywodraethu pob sefydliad rheoleiddiedig, ac</p> <p>(c) unrhyw bersonau eraill sy'n briodol yn eu barn hwy.'</p>	<p>The purpose of this amendment is to allow for regulations to amend the maximum period in respect of which an approved plan is to have effect.</p> <p>The effect of this amendment is that the Welsh Ministers may amend the maximum period in respect of which an approved plan is to have effect by way of regulations. The amendment will require the Welsh Ministers to consult the governing body of each regulated institution, HEFCW and any other person they think appropriate before making such regulations.</p>
3	Section 6, page 5, line 15, after 'plan', insert 'relating to an institution'.	Adran 6, tudalen 5, llinell 15, ar ôl 'gynllun', mewnosoder 'sy'n ymwneud â sefydliad'.	<p>The purpose of this amendment is to provide clarification as to the effect of amendment 4.</p> <p>The effect of this amendment is to clarify that the</p>

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			reference to a plan in section 6(5) is a plan relating to an institution. This amendment is ancillary to amendment 4.
4	Section 6, page 5, after line 18, insert— '(c) requiring the institution to incur expenditure, in any academic year, of an amount exceeding the amount of the qualifying fee income of the institution that is attributable to that academic year.'	Adran 6, tudalen 5, ar ôl llinell 18, mewnosoder— '(c) sy'n ei gwneud yn ofynnol i'r sefydliad fynd i wariant, mewn unrhyw flwyddyn academaidd, o swm sy'n mynd uwchlaw swm incwm ffioedd cymhwysol y sefydliad y gellir ei briodoli i'r flwyddyn academaidd honno.'	The purpose of this amendment is to place a restriction upon the Welsh Ministers' power to prescribe, by way of regulations, the provisions for inclusion in fee and access plans. The effect of this amendment is to prohibit the Welsh Ministers from making regulations which require a fee and access plan to include provision which requires regulated institutions to incur expenditure in a given academic year in excess of the aggregate amount of tuition fee income received from qualifying persons undertaking qualifying courses.
5	Section 6, page 5, line 19, after 'section', insert 'the amount of the qualifying fee income of an institution that is attributable to an academic year is the aggregate amount of those fees payable to the institution, in respect of that academic year, in relation to which a fee limit applies that is specified in the fee and access plan relating to the institution, or for the determination of which the fee and access plan relating to the institution provides;'	Adran 6, tudalen 5, llinell 19, ar ôl 'hon', mewnosoder 'swm incwm ffioedd cymhwysol sefydliad y gellir ei briodoli i flwyddyn academaidd yw cyfanswm y ffioedd hynny sy'n daladwy i'r sefydliad, mewn cysylltiad â'r flwyddyn academaidd honno, y mae terfyn ffioedd a bennir yn y cynllun ffioedd a mynediad sy'n ymwneud â'r sefydliad yn gymwys mewn perthynas ag ef, neu y mae'r cynllun ffioedd a mynediad sy'n ymwneud â'r sefydliad yn darparu ar gyfer penderfynu arno;'	The purpose of this amendment is to provide a definition of 'the amount of the qualifying fee income of an institution that is attributable to an academic year' which is an expression used in amendment 4. The effect of this amendment is to define the expression 'the amount of the qualifying fee of an institution that is attributable to an academic year', namely the aggregate amount of fees payable to the institution by qualifying persons undertaking qualifying courses in respect of that academic year.
6	Page 8, line 4, leave out section 13 and insert— '[] Directions in respect of failure to comply with general requirements of approved plan (1) If the condition in subsection (2) or (3) is met, HEFCW may give the governing body of an institution a direction within subsection (4).	Tudalen 8, llinell 4, hepgorer adran 13 a mewnosoder— '[] Cyfarwyddydau mewn cysylltiad â methiant i gydymffurfio â gofynion cyffredinol cynllun a gymeradwywyd (1) Os yw'r amod yn is-adran (2) neu (3) wedi ei	The purpose of the amendment is to replace the current section 13 of the Bill and in doing so replace the current regulation-making power in that section with a new HEFCW function on the face of the Bill. The effect of this amendment is to enable HEFCW to direct the governing body of an institution to take

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	<p>(2) The condition is that HEFCW are satisfied that—</p> <p>(a) there has been a failure by the governing body to comply with a general requirement of a fee and access plan relating to the institution, and</p> <p>(b) at the time of the failure, the fee and access plan was approved under section 7.</p> <p>(3) The condition is that HEFCW are satisfied that the governing body is likely to fail to comply with a general requirement of the institution's approved plan.</p> <p>(4) A direction within this subsection is a direction requiring the governing body to take (or not to take) specified steps for the purpose of dealing with or preventing the failure to comply.</p> <p>(5) But HEFCW may not give a direction under this section if they are satisfied that the governing body has taken all reasonable steps to comply with the requirement in question.</p> <p>(6) For procedural provision about directions under this section, see sections 40 to 43.'</p>	<p>ddiwallu, caiff CCAUC roi cyfarwyddyd o fewn is-adran (4) i gorff llywodraethu sefydliad.</p> <p>(2) Yr amod yw bod CCAUC wedi ei fodloni—</p> <p>(a) bod methiant wedi bod gan y corff llywodraethu i gydymffurfio â gofyniad cyffredinol mewn cynllun ffioedd a mynediad sy'n ymwneud â'r sefydliad, a</p> <p>(b) ar adeg y methiant, fod y cynllun ffioedd a mynediad wedi ei gymeradwyo o dan adran 7.</p> <p>(3) Yr amod yw bod CCAUC wedi ei fodloni bod y corff llywodraethu yn debygol o fethu â chydymffurfio â gofyniad cyffredinol yng nghynllun y sefydliad a gymeradwywyd.</p> <p>(4) Mae cyfarwyddyd o fewn yr is-adran hon yn gyfarwyddyd sy'n ei gwneud yn ofynnol i'r corff llywodraethu gymryd (neu beidio â chymryd) camau penodedig at y diben o ymdrin â'r methiant i gydymffurfio neu atal methiant o'r fath.</p> <p>(5) Ond ni chaiff CCAUC roi cyfarwyddyd o dan yr adran hon os yw wedi ei fodloni bod y corff llywodraethu wedi cymryd pob cam rhesymol i gydymffurfio â'r gofyniad o dan sylw.</p> <p>(6) Am y ddarpariaeth weithdrefnol ynghylch cyfarwyddydau o dan yr adran hon, gweler adrannau 40 i 43.'</p>	<p>steps (or refrain from taking steps) for the purpose of dealing with or preventing a failure to comply with a general requirement of a fee and access plan. HEFCW may give such a direction if they are satisfied that one of two conditions is met. The first condition is that a governing body has failed to comply with a general requirement of the institution's approved fee and access plan at a time when the plan was approved under section 7. The second condition is that a governing body is likely to fail to comply with a general requirement of an institution's approved plan.</p> <p>HEFCW will not be able to give a direction to the governing body under the new section if they are satisfied that the governing body has taken all reasonable steps to comply with the requirement in question.</p>
7	<p>Section 25, page 13, after line 12, insert—</p> <p>'() One member of the committee must be a person who appears to HEFCW to represent the interests of persons being provided with</p>	<p>Adran 25, tudalen 13, ar ôl llinell 11, mewnosoder—</p> <p>'() Rhaid i un aelod o'r pwyllgor fod yn berson yr ymddengys i CCAUC ei fod yn cynrychioli buddiannau personau y darperir addysg uwch</p>	<p>The purpose of this amendment is to introduce a requirement for one member of HEFCW's Quality Assessment Committee to represent the interests of students being provided with higher education in Wales.</p>

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	higher education in Wales.’.	yng Nghymru iddynt.’.	The effect will be that HEFCW will be placed under a statutory requirement to ensure that its Quality Assessment Committee membership continues to include student representation.
8	Section 25, page 13, line 13, after ‘the’ at the first place where it appears, insert ‘other’.	Adran 25, tudalen 13, llinell 12, hepgorer ‘aelodau’r’ a mewnosoder ‘aelodau eraill y’.	<p>The purpose of this amendment is to ensure that a student representative on HEFCW’s Quality Assessment Committee is not counted as a member for the purpose of determining that the majority of the Committee members are not members of HEFCW and a majority have experience of, or have shown capacity in the provision of higher education.</p> <p>The effect of this amendment is that HEFCW will not have to take into account a student representative when determining that the majority of members of its Quality Assessment Committee are not members of HEFCW, and that a majority are persons who have experience of, or who have shown capacity in the provision of higher education.</p>
9	Section 27, page 14, line 24, leave out ‘and 29’ and insert ‘, 29 and [new section to be inserted amendment 13]’.	Adran 27, tudalen 14, llinell 24, hepgorer ‘a 29’ a mewnosoder ‘, 29 a [adran newydd i gael ei mewnosod gan welliant 13]’.	<p>The purpose of this amendment is to amend the list of sections to which the definition of the “first code” applies to include the new section proposed under amendment 13.</p> <p>The effect will be that the definition of the “first code” will apply in respect of the procedure proposed under amendment 13 for scrutiny of a draft Code by the National Assembly for Wales following approval of the draft by the Welsh Ministers.</p>
10	Section 28, page 15, line 6, leave out subsection (6).	Adran 28, tudalen 15, llinell 7, hepgorer is-adran (6).	Consequential to amendment 13
11	Section 29, page 16, line 1, leave out subsection (8).	Adran 29, tudalen 16, llinell 1, hepgorer is-adran (8).	Consequential to amendment 13

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12	Section 29, page 16, line 4, leave out '(8)' and insert '(7)'.	Adran 29, tudalen 16, llinell 6, hepgorer '(8)' yn y lle cyntaf y mae'n ymddangos a mewnosoder '(7)'.	Consequential to amendment 13
13	<p>To insert a new section —</p> <p>‘[] Procedure if draft Code approved by Welsh Ministers</p> <p>(1) If the Welsh Ministers approve a draft of the first Code or of a revised Code submitted to them under section 28 or 29, they must lay the approved draft before the National Assembly for Wales.</p> <p>(2) If the National Assembly for Wales resolves not to approve the draft within the 40 day period—</p> <p>(a) HEFCW may not publish the draft;</p> <p>(b) if the draft is of the first Code, HEFCW must submit a further draft of the first Code to the Welsh Ministers;</p> <p>(c) if the draft is of a revised Code, HEFCW may submit a further draft of a revised Code to the Welsh Ministers.</p> <p>(3) Before submitting a further draft of the first Code or of a revised Code to the Welsh Ministers under this section, HEFCW must carry out any further consultation they think appropriate.</p> <p>(4) A further draft submitted to the Welsh Ministers under this section must be accompanied by a report—</p> <p>(a) setting out HEFCW's reasons for the terms of the draft, and</p>	<p>I fewnosod adran newydd—</p> <p>‘[] Y weithdrefn os cymeradwyir Cod drafft gan Weinidogion Cymru</p> <p>(1) Os yw Gweinidogion Cymru yn cymeradwyo drafft o'r Cod cyntaf neu o God diwygiedig a gyflwynir iddynt o dan adran 28 neu 29, rhaid iddynt osod y drafft a gymeradwywyd gerbron Cynulliad Cenedlaethol Cymru.</p> <p>(2) Os yw Cynulliad Cenedlaethol Cymru yn penderfynu peidio â chymeradwyo'r drafft o fewn y cyfnod o 40 niwrnod—</p> <p>(a) ni chaiff CCAUC gyhoeddi'r drafft;</p> <p>(b) os drafft o'r Cod cyntaf yw'r drafft, rhaid i CCAUC gyflwyno drafft pellach o'r Cod cyntaf i Weinidogion Cymru;</p> <p>(c) os drafft o God diwygiedig yw'r drafft, caiff CCAUC gyflwyno drafft pellach o God diwygiedig i Weinidogion Cymru.</p> <p>(3) Cyn cyflwyno drafft pellach o'r Cod cyntaf neu o God diwygiedig i Weinidogion Cymru o dan yr adran hon, rhaid i CCAUC gynnal unrhyw ymgynghoriad pellach sy'n briodol yn ei farn ef.</p> <p>(4) Rhaid i ddrafft pellach a gyflwynir i Weinidogion Cymru o dan yr adran hon gynnwys gydag ef adroddiad—</p> <p>(a) sy'n nodi rhesymau CCAUC dros delerau'r drafft, a</p>	<p>The purpose of the proposed amendment is to insert a new section which sets out a revised procedure to be followed if the draft Code submitted by HEFCW is approved by Welsh Ministers.</p> <p>The effect of the amendment will be to require Welsh Ministers to lay a draft Code approved by them before the National Assembly for Wales. Once laid the National Assembly for Wales would have a period of 40 days during which they may resolve not to approve the draft Code. Should no resolution be made, HEFCW would be required to publish the Code in the terms approved by the Welsh Ministers and laid before the National Assembly for Wales.</p> <p>Should the National Assembly for Wales resolve not to approve the draft laid before it, HEFCW may not publish the draft. If the resolution relates to the first Code, HEFCW must submit a further draft to the Welsh Ministers for approval. If it relates to a revised Code, HEFCW will not be obliged to submit a further draft.</p> <p>The new section also requires HEFCW to carry out any further consultation that they consider appropriate before submitting a further draft to Welsh Ministers for approval. It also requires HEFCW to submit a report alongside the further draft which sets out the terms of the draft and provides details of any further consultation that HEFCW have undertaken in developing it.</p>

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	<p>(b) giving details of any consultation carried out under subsection (3) in relation to the draft and summarising the representations received by HEFCW during the consultation.</p> <p>(5) The “40 day period” means the period of 40 days beginning with the day on which the draft is laid before the National Assembly for Wales.</p> <p>(6) In calculating the 40 day period, no account is to be taken of any period during which the National Assembly for Wales is dissolved or during which it is in recess for more than four days.</p> <p>(7) If no resolution is passed by the National Assembly for Wales within the 40 day period as mentioned in subsection (2), HEFCW must publish the Code in the terms of the approved draft.</p> <p>(8) If a further draft is submitted to the Welsh Ministers under this section—</p> <p>(a) subsections (1) to (7) apply if the Welsh Ministers approve the draft as they apply if they approve a draft submitted to them under section 28 or 29;</p> <p>(b) section 29 applies if the Welsh Ministers decide not to approve the draft as it applies if the Welsh Ministers decide not to approve a draft submitted to them under section 28.’</p>	<p>(b) sy’n rhoi manylion unrhyw ymgynghoriad a gynhaliwyd o dan is-adran (3) mewn perthynas â’r drafft ac yn crynhoi’r sylwadau a gafodd CCAUC yn ystod yr ymgynghoriad.</p> <p>(5) Y “cyfnod o 40 niwrnod” yw’r cyfnod o 40 niwrnod sy’n dechrau ar y diwrnod y gosodir y drafft gerbron Cynulliad Cenedlaethol Cymru.</p> <p>(6) Wrth gyfrifo’r cyfnod o 40 niwrnod, nid yw unrhyw gyfnod pan fo Cynulliad Cenedlaethol Cymru wedi ei ddiddymu neu pan fo ar doriad am fwy na phedwar diwrnod i’w ystyried.</p> <p>(7) Os na chaiff penderfyniad ei basio gan Gynulliad Cenedlaethol Cymru o fewn y cyfnod o 40 niwrnod fel a grybwyllir yn is-adran (2), rhaid i CCAUC gyhoeddi’r Cod yn nhelerau’r drafft a gymeradwywyd.</p> <p>(8) Os cyflwynir drafft pellach i Weinidogion Cymru o dan yr adran hon—</p> <p>(a) mae is-adrannau (1) i (7) yn gymwys os yw Gweinidogion Cymru yn cymeradwyo’r drafft fel y maent yn gymwys os ydynt yn cymeradwyo drafft a gyflwynir iddynt o dan adran 28 neu 29;</p> <p>(b) mae adran 29 yn gymwys os yw Gweinidogion Cymru yn penderfynu peidio â chymeradwyo’r drafft fel y mae’n gymwys os yw Gweinidogion Cymru yn penderfynu peidio â chymeradwyo drafft a gyflwynir iddynt o dan adran 28.’</p>	

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14	Section 36, page 18, after line 14, insert— '() a direction under section (<i>new section to be inserted by amendment 6</i>) (directions in respect of failure to comply with general requirements of approved plan).'	Adran 36, tudalen 18, ar ôl llinell 16, mewnosoder— '() cyfarwyddyd o dan adran (<i>adran newydd i gael ei mewnosod gan welliant 6</i>) (cyfarwyddydau mewn cysylltiad â methiant i gydymffurfio â gofynion cyffredinol cynllun a gymeradwywyd).'	<p>The purpose of this amendment is to extend the conditions listed in section 36(3) in relation to which HEFCW may give notice of their refusal to approve a new fee and access plan. The extension relates to the situation where the governing body of an institution has failed to comply with a direction given by HEFCW under the new section proposed under amendment 6.</p> <p>The effect of this amendment is that where HEFCW are satisfied that the governing body of an institution has failed to comply with a direction given by HEFCW under the new section proposed under amendment 6, HEFCW may give notice that they will not approve a new fee and access plan relating to the institution before the end of a period specified in the notice.</p>
15	Section 36, page 18, after line 31, insert— '() If the governing body of an institution that is not a regulated institution fails to comply with a direction under section (<i>new section to be inserted by amendment 6</i>), this section applies in relation to that institution as it applies in relation to a regulated institution. '	Adran 36, tudalen 18, ar ôl llinell 35, mewnosoder— '() Os yw corff llywodraethu sefydliad nad yw'n sefydliad rheoleiddiedig yn methu â chydymffurfio â chyfarwyddyd o dan adran (<i>adran newydd i gael ei mewnosod gan welliant 6</i>), mae'r adran hon yn gymwys mewn perthynas â'r sefydliad hwnnw fel y mae'n gymwys mewn perthynas â sefydliad rheoleiddiedig.'	<p>The purpose of this amendment is to ensure that a notice given under section 36 of the Bill will apply to an institution irrespective of whether or not the institution in question is still a regulated institution at the date of the notice.</p> <p>The effect of this amendment is to ensure that where the governing body of an institution that is not regulated fails to comply with a direction given under the new section proposed under amendment 6, HEFCW will still be able to give a notice under section 36 to that governing body in relation to that failure.</p>
16	Section 38, page 19, line 22, after 'plan', insert 'or has failed to comply with a direction under section (<i>new section to be inserted by amendment 6</i>) (directions in respect of failure to comply with general	Adran 38, tudalen 19, llinell 25, ar ôl 'gymeradwywyd', mewnosoder 'neu wedi methu â chydymffurfio â chyfarwyddyd o dan adran (<i>adran newydd i gael ei mewnosod gan welliant 6</i>)	The purpose of this amendment is to extend the conditions listed in section 38(2) in relation to which HEFCW may withdraw their approval of the fee and access plan relating to an institution, where the

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	requirements of approved plan)'. 	(cyfarwyddydau mewn cysylltiad â methiant i gydymffurfio â gofynion cyffredinol cynllun a gymeradwywyd)'. 	governing body of a regulated institution has failed to comply with a direction given under the new section proposed under amendment 6. The effect of this amendment is that where HEFCW are satisfied that the governing body of a regulated institution has failed to comply with a direction given under the new section proposed under amendment 6, HEFCW may withdraw their approval of the fee and access plan relating to the institution by giving notice to the institution's governing body.
17	Section 40, page 20, after line 14, insert— '() a direction under section (<i>new section to be inserted by amendment 6</i>) (directions in respect of failure to comply with general requirements of approved plan),'	Adran 40, tudalen 20, ar ôl llinell 14, mewnosoder— '() cyfarwyddyd o dan adran (<i>adran newydd i gael ei mewnosod gan welliant 6</i>) (cyfarwyddydau mewn cysylltiad â methiant i gydymffurfio â gofynion cyffredinol cynllun a gymeradwywyd),'	The purpose of this amendment is to extend the provisions to which sections 41 to 43 of the Bill (warning notices and review procedures) apply. The effect of this amendment to section 40(1) is that where HEFCW propose to give a direction under the new section proposed under amendment 6, they must give the governing body in question a warning notice. The governing body may make representations to HEFCW about their proposals and HEFCW must take those representations into account when deciding whether to give the direction. If HEFCW decide to give the governing body the direction, the governing body may apply for a review of that decision (subject to the grounds upon which a review may be made).
18	Section 49, page 23, line 12, after 'must', insert 'submit a'.	Adran 49, tudalen 23, llinell 12, hepgorer 'adrodd' yn yr ail le y mae'n ymddangos a mewnosoder 'gyflwyno adroddiad'.	The purpose of this amendment is to align HEFCW's annual reporting requirement with the proposal under amendment 19 that the Welsh Ministers lay HEFCW's annual reports before the Assembly.

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			<p>The effect of this amendment is to clarify that HEFCW is required to submit an annual report to the Welsh Ministers, rather than report in any other way. This will enable the Welsh Ministers to lay such a report before the Assembly.</p>
19	<p>Section 49, page 23, after line 14, insert— '() As soon as possible after receiving a report under subsection (1), the Welsh Ministers must lay a copy of the report before the National Assembly for Wales.'</p>	<p>Adran 49, tudalen 23, ar ôl llinell 14, mewnosoder— '() Cyn gynted â phosibl ar ôl cael adroddiad o dan is-adran (1), rhaid i Weinidogion Cymru osod copi o'r adroddiad gerbron Cynulliad Cenedlaethol Cymru.'</p>	<p>The purpose of this amendment is to place the Welsh Ministers under a duty to lay a copy of an annual report received from HEFCW before the Assembly.</p> <p>The effect of this amendment is that the Welsh Ministers will be required to lay a copy of any annual reports received from HEFCW before the Assembly. The Welsh Ministers will be required to do this as soon as possible after receiving the report.</p>
20	<p>Section 51, page 24, after line 24, insert— '() section (new section to be inserted by amendment 6) (directions in respect of failure to comply with general requirements of approved plan);'</p>	<p>Adran 51, tudalen 24, ar ôl llinell 26, mewnosoder— '() adran (adran newydd i gael ei mewnosod gan welliant 6) (cyfarwyddydau mewn cysylltiad â methiant i gydymffurfio â gofynion cyffredinol cynllun a gymeradwywyd);'</p>	<p>The purpose of this amendment is to extend the scope of the statement in respect of intervention functions that HEFCW must prepare under section 51 of the Bill.</p> <p>The effect of this amendment is to ensure that the statement that HEFCW is required to prepare under section 51 of the Bill will extend to how HEFCW propose to exercise their functions under the new section proposed under amendment 6.</p>
21	<p>Section 54, page 26, after line 1, insert— '() regulations under section 4 (first subsection to be inserted by amendment 2);'</p>	<p>Adran 54, tudalen 26, ar ôl llinell 1, mewnosoder— '() rheoliadau o dan adran 4 (yr is-adran gyntaf i gael ei mewnosod gan welliant 2);'</p>	<p>The purpose of this amendment is to make provision for regulations made under section 4() to be subject to the approval of the National Assembly for Wales.</p> <p>The effect of this amendment is that regulations made by the Welsh Ministers which amend the maximum period in respect of which a fee and access plan is to have effect are to be subject to the</p>

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
22	Section 54, page 26, after line 1, insert— '() the first regulations to be made under section 5(3);'.	Adran 54, tudalen 26, ar ôl llinell 1, mewnosoder— '() y rheoliadau cyntaf sydd i'w gwneud o dan adran 5(3);'.	<p>affirmative resolution procedure.</p> <p>The purpose of this amendment is to make provision for the first regulations made by the Welsh Ministers under section 5(3) to be subject to the approval of the National Assembly for Wales.</p> <p>The effect of this amendment is that the first regulations made by the Welsh Ministers concerning the maximum tuition fee amount are to be subject to the affirmative resolution procedure.</p>
23	Schedule 1, page 33, after line 28, insert— '() section 4(<i>second subsection to be inserted by amendment 2</i>)(b);'.	Atodlen 1, tudalen 33, ar ôl llinell 30, mewnosoder— '() adran 4(<i>yr ail is-adran i gael ei mewnosod gan welliant 2</i>)(b);'.	<p>The purpose of this amendment is to include the consultation requirement relating to any regulations made under section 4()(b) (regulations which amend the maximum period of a fee and access plan) within the arrangements for the transitional period.</p> <p>The effect of this amendment is that should the Welsh Ministers make regulations to amend the maximum period of a fee and access plan during the transitional period, they will be required to consult all institutions with a fee plan approved under the Higher Education Act 2004.</p>
24	Schedule 1, page 33, after line 30, insert— '() section 24(2)(a);'.	Atodlen 1, tudalen 33, ar ôl llinell 32, mewnosoder— '() adran 24(2)(a);'.	<p>The purpose of this amendment is to include the consultation requirement in section 24(2)(a), relating to guidance issued by HEFCW under section 24(1), within the arrangements for the transitional period.</p> <p>The effect of this amendment is that should HEFCW issue guidance under section 24(1) during the transitional period, they must first consult all institutions with a fee plan approved under the Higher Education Act 2004.</p>

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
25	Schedule 1, page 34, line 12, leave out '2016' and insert '2017'.	Atodlen 1, tudalen 34, llinell 12, hepgorer '2016' a mewnosoder '2017'.	<p>The purpose of this amendment is to amend the end date of the transitional period to 31 August 2017.</p> <p>The effect of this amendment is to extend the end of the transitional period from 31 August 2016 until 31 August 2017.</p>