

2015 No. 1605 (W. 203) (C. 93)

EDUCATION, WALES

**The Consumer Rights Act 2015
(Commencement No. 1 and
Transitional Provision) (Wales)
Order 2015**

EXPLANATORY NOTE

(This note is not part of the Order)

Article 2 of this Order brings into force, in relation to Wales, section 89 of the Consumer Rights Act 2015 (“the Act”) which amends sections 11 and 12 of the Higher Education Act 2004⁽¹⁾ by expanding the list of higher education providers which are required to join the higher education complaints handling scheme.

Article 3 of the Order makes transitional provision in respect of those new institutions being brought into the higher education complaints scheme, namely that complaints in relation to those new institutions can only be brought about acts or omissions occurring on or after 1 September 2015, or where an act or omission occurs prior to 1 September 2015 and continues after that date.

**NOTE AS TO EARLIER COMMENCEMENT
ORDERS**

(This note is not part of the Order)

The following provisions of the Act have been brought into force by commencement orders made before the date of this Order.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 77 (partially)	27 May 2015	S.I. 2015/1333
Section 81 (partially)	3 August 2015	S.I. 2015/1584
Section 82	27 May 2015	S.I. 2015/1333

Schedule 5 (partially)	27 May 2015	S.I. 2015/1333
Paragraphs 12, 18, 20 to 22 and 28 to 35 of Schedule 8 (partially)	3 August 2015	S.I. 2015/1584

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Made

10 August 2015

The Welsh Ministers, in exercise of the powers conferred by sections 97(2) and 100(3)(b) of the Consumer Rights Act 2015⁽¹⁾ make the following Order.

Title, application and interpretation

1.—(1) The title of this Order is the Consumer Rights Act 2015 (Commencement No. 1 and Transitional Provision) (Wales) Order 2015.

(2) This Order applies in relation to Wales only.

(3) In this Order, “the Act” (“*y Ddeddf*”) means the Consumer Rights Act 2015.

Provisions coming into force on 1 September 2015

2. Section 89 of the Act comes into force on the 1 September 2015.

Transitional arrangements

3.—(1) A qualifying complaint about an act or omission of a qualifying institution falling within section 11(e) or (f) of the Higher Education Act 2004⁽²⁾ can only be reviewed by the designated operator where the act or omission complained of—

(a) occurs on or after 1 September 2015; or

(b) occurs before that date but continues on or after it.

(2) In this article the terms “qualifying complaint” (“*cwyn gymhwysol*”), “qualifying institution”

(1) 2015 c. 15.
(2) 2004 c. 8.

(“*sefydliad cymhwysol*”) and “designated operator” (“*gweithredwr dynodedig*”) bear the same meanings as they bear in Part 2 of the Higher Education Act 2004.

Huw Lewis

Minister for Education and Skills, one of the Welsh Ministers

10 August 2015