EXECUTIVE NOTE

The Education (Recognised Bodies) (Scotland) Order 2007 SSI/2007/557

The above instrument was made in exercise of the powers conferred by section 216(1) of the Education Reform Act 1988. The instrument is not subject to Parliamentary procedure.

Policy Objectives

Sections 214 to 216 of the Education Reform Act 1988 make provision on unrecognised degrees. These provisions have as their purpose the protection of the good name of UK higher education by ending the traffic in bogus degrees. These sections make it an offence to offer, in the course of business, a qualification purporting to be a degree of a UK institution, unless it is a recognised award. It falls to Trading Standards Officers to pursue any cases where a body is believed to be offering such degrees without authorisation.

Recognised awards are awards granted, or to be granted, by a university, college or other body which is authorised by Royal Charter or Act of Parliament to grant degrees, or by a body for the time being permitted by any of the foregoing to act on its behalf in the granting of degrees; and such other awards as Scottish Ministers may by order designate as recognised awards for the purpose of section 214 of the 1988 Act.

Scottish Ministers are required to publish an up-to-date list of these bodies, with the other devolved administrations also making similar Orders. Each Order lists the names of all the recognised bodies in the whole of the UK.

The Education (Recognised Bodies) (Scotland) 2007 Order replaces, for Scotland, the Education (Recognised Bodies) (Scotland) Order 1999 as amended by the Education (Recognised Bodies) Amendment (Scotland) Order 2005. This Order now lists all the bodies currently authorised to grant awards and includes changes which have occurred since the 2005 Amendment Order was made. These include the addition of a number of new bodies to the Schedule, as these bodies appear to Scottish Ministers to now fall into the definition of a recognised body. There are also a number of minor amendments which take into account institutions' name changes.

Consultation

Officials of the Department for Innovation, Universities and Skills, the Welsh Assembly Office and the Department for Employment and Learning of Northern Ireland have been consulted during the preparation of the instrument.

Financial Effects

A Regulatory Impact Assessment has not been prepared as this instrument has no financial effects on the Scottish Executive, local government or on business.

Lifelong Learning Directorate, Higher Education and Learner Support Division,
December 2007