SCOTTISH STATUTORY INSTRUMENTS

2025 No. 385

EDUCATION

The Education (Scotland) Act 2025 (Consequential Provisions) Regulations 2025

Made - - - - *3rd December 2025*

Laid before the Scottish Parliament *5th December 2025*

Coming into force in accordance with regulation 1

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 96(10)(c) of the Equality Act 2010(**a**), section 65(1) of the Education (Scotland) Act 2025(**b**) and all other powers enabling them to do so.

Citation and commencement

1. These Regulations may be cited as the Education (Scotland) Act 2025 (Consequential Provisions) Regulations 2025 and come into force on the same day that section 1 of the Education (Scotland) Act 2025 comes into force for all purposes.

Consequential amendments

2. The amendments listed in the schedule have effect.

JENNY GILRUTH
A member of the Scottish Government

St Andrew's House,
Edinburgh
3rd December 2025

(**a**) 2010 c. 15. Section 212(1) of the Equality Act 2010 contains a definition of "prescribed" relevant to the exercise of the powers under which these Regulations are made.
(**b**) 2025 asp 11.

SCHEDULE

Regulation 2

Consequential Amendments

The Scottish Social Services Council (Consultation on Codes of Practice) Order 2001

1.—(1) The Scottish Social Services Council (Consultation on Codes of Practice) Order 2001(**a**) is amended as follows.

(2) In article 1(2) (citation, commencement and interpretation)—

(a) after the definition of "carer" insert—

> ""Qualifications Scotland" means Qualifications Scotland established under section 1(1) of the Education (Scotland) Act 2025;
>
> "Qualifications Scotland qualification" has the meaning given to it in section 63(1) of the Education (Scotland) Act 2025; and",

(b) at the end of the definition of "service user" for ";" substitute ".",

(c) omit the definitions of "Scottish Qualifications Authority" and "SQA qualification".

(3) In article 2 (consultation on Codes of Practice), in paragraph (g)—

(a) for "the Scottish Qualifications Authority in accordance with section 2 of the Education (Scotland) Act 1996" substitute "Qualifications Scotland in accordance with section 2(1)(b) of the Education (Scotland) Act 2025",

(b) for "SQA " substitute "Qualifications Scotland".

The Council Tax (Discounts) (Scotland) Consolidation and Amendment Order 2003

2.—(1) The Council Tax (Discounts) (Scotland) Consolidation and Amendment Order 2003(**b**) is amended as follows.

(2) In article 5(1)(b) (apprentices) for "the Scottish Qualifications Authority (SQA)" substitute "Qualifications Scotland".

(3) In article 6(1) (students) for "the Scottish Qualifications Authority" substitute "Qualifications Scotland" in both places where it appears.

(4) In schedule 1 (qualifying courses of education), in paragraph 2, for "the Scottish Qualifications Authority" substitute "Qualifications Scotland" in both places where it appears.

The Protection of Charities Assets (Exemption) (Scotland) Order 2006

3. In Part 1 of schedule 1 (specified bodies) of the Protection of Charities Assets (Exemption) (Scotland) Order 2006(**c**) omit "Scottish Qualifications Authority".

(**a**) S.S.I. 2001/424, to which there are amendments not relevant to these Regulations.
(**b**) S.S.I. 2003/176; relevant amending instruments are S.S.I. 2011/5, S.S.I. 2014/37 and S.S.I. 2023/25.
(**c**) S.S.I. 2006/220, to which there are amendments not relevant to these Regulations.

The Licensing (Training of Staff) (Scotland) Regulations 2007

4. In regulation 2(b) (training requirement) of the Licensing (Training of Staff) (Scotland) Regulations 2007(**a**) for "the Scottish Qualifications Authority" substitute "Qualifications Scotland".

The Equality Act 2010 (Qualifications Body Regulator and Relevant Qualifications) (Scotland) Regulations 2010

5. In regulation 2 (appropriate regulator) of the Equality Act 2010 (Qualifications Body Regulator and Relevant Qualifications) (Scotland) Regulations 2010(**b**) for "the Scottish Qualifications Authority" substitute "Qualifications Scotland".

The Welfare of Animals at the Time of Killing (Scotland) Regulations 2012

6. In regulation 2(1) (interpretation) of the Welfare of Animals at the Time of Killing (Scotland) Regulations 2012(**c**), in the definition of "qualification certificate", for "the Scottish Qualifications Authority" substitute "Qualifications Scotland".

The St Mary's Music School (Aided Places) (Scotland) Regulations 2015

7. In paragraph 23(1) of schedule 1 (scheme for aided places at St Mary's Music School) of the St Mary's Music School (Aided Places) (Scotland) Regulations 2015(**d**) for "the Scottish Qualifications Authority" substitute "Qualifications Scotland".

The Road Works (Qualifications of Operatives and Supervisors) (Scotland) Regulations 2017

8.—(1) The Road Works (Qualifications of Operatives and Supervisors) (Scotland) Regulations 2017(**e**) are amended as follows.

(2) In regulation 2(1) (interpretation) for the definition of "registration body" substitute—

> ""registration body" means Qualifications Scotland, established under section 1(1) of the Education (Scotland) Act 2025;".

(3) In regulation 8(1) (qualification registration) for paragraph (a) substitute—

> "(a) Qualifications Scotland;".

The Student Support (Scotland) Regulations 2022

9.—(1) The Student Support (Scotland) Regulations 2022(**f**) are amended as follows.

(2) In regulation 29(3)(b)(i) (exercise of power to grant an education maintenance allowance) for "the Scottish Qualifications Authority" substitute "Qualifications Scotland".

(3) In schedule 4 (designated courses)—

(a) in Part 1 (courses designated for student loans and student loans for tuition fees), in paragraph 5(c), for "the Scottish Qualifications Authority" substitute "Qualifications Scotland",

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(**a**) S.S.I. 2007/397.
(**b**) S.S.I. 2010/315.
(**c**) S.S.I. 2012/321; relevant amending instruments are S.S.I. 2015/161, S.S.I. 2019/288, S.S.I. 2020/380 and S.S.I. 2023/312.
(**d**) S.S.I. 2015/248, to which there are amendments not relevant to these Regulations.
(**e**) S.S.I. 2017/147, to which there are amendments not relevant to these Regulations.
(**f**) S.S.I. 2022/157, to which there are amendments not relevant to these Regulations.

(b) in Part 2 (courses designated for student loans only), in paragraph 8, for "the Scottish Qualifications Authority" substitute "Qualifications Scotland".

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision in consequence of the Education (Scotland) Act 2025 ("the Act"). The Act establishes Qualifications Scotland. This replaces the Scottish Qualifications Authority ("the SQA") which is dissolved by the Act.

Regulation 2 provides that the amendments listed in the schedule have effect. The schedule makes the following amendments.

Paragraph 1 amends the Scottish Social Services Council (Consultation on Codes of Practice) Order 2001 ("the 2001 Order"). The 2001 Order prescribes persons whom the Scottish Social Services Council must consult before publishing a Code of Practice. The prescribed persons include every education and training establishment approved by the SQA in accordance with section 2 of the Education (Scotland) Act 1996 as being suitable for presenting social service workers for certain SQA qualifications. Paragraph 1 replaces the references to the SQA with Qualifications Scotland.

Paragraph 2 amends the Council Tax (Discounts) (Scotland) Consolidation and Amendment Order 2003 ("the 2003 Order"). The 2003 Order makes provision for certain prescribed persons to be disregarded when calculating council tax for households. The 2003 Order prescribes apprentices to include persons undertaking training leading to a SQA accredited qualification. It prescribes students to include persons in receipt of certain offers for places on degree courses where, in the preceding six months, the person has completed a course for certain SQA qualifications. It prescribes qualifying courses of education and excepted courses, which include certain SQA qualifications. Paragraph 2 replaces the references to the SQA with Qualifications Scotland.

Paragraph 3 amends the Protection of Charities Assets (Exemption) (Scotland) Order 2006 to remove a redundant reference to the SQA.

Paragraph 4 amends the Licensing (Training of Staff) (Scotland) Regulations 2007 ("the 2007 Regulations"). These prescribe training requirements for persons who may sell or serve alcohol on licensed premises. Regulation 2 of the 2007 Regulations provides that persons working in such a capacity must have received training from a person who at the time of the training holds a personal licence or a qualification accredited for the purposes of regulation 2 by the SQA. Paragraph 4 replaces the reference to the SQA with Qualifications Scotland.

Paragraph 5 amends the Equality Act 2010 (Qualifications Body Regulator and Relevant Qualifications) (Scotland) Regulations 2010 ("the 2010 Regulations"). Regulation 2 of the 2010 Regulations specifies the SQA as the "appropriate regulator" for the purposes of section 96 of the Equality Act 2010. Paragraph 5 replaces the SQA with Qualifications Scotland.

Paragraph 6 amends the Welfare of Animals at the Time of Killing (Scotland) Regulations 2012 ("the 2012 Regulations"). The definition of a "qualification certificate" in regulation 2(1) of the 2012 Regulations includes a certificate granted by a body recognised and regulated by the SQA. Paragraph 6 replaces the reference to the SQA with Qualifications Scotland.

Paragraph 7 amends the St Mary's Music School (Aided Places) (Scotland) Regulations 2015 ("the 2015 Regulations"). Schedule 1, paragraph 23 of the 2015 Regulations makes provision about remission of charges for field study courses. A "field study course" means a course of field

study which forms a compulsory part of a course of education for any examination conducted by the SQA. Paragraph 7 replaces the reference to the SQA with Qualifications Scotland.

Paragraph 8 amends the Road Works (Qualifications of Operatives and Supervisors) (Scotland) Regulations 2017 ("the 2017 Regulations"). Regulation 8(1) of the 2017 Regulations provides that the bodies approved for issuing certificates of competence include the SQA. Regulation 8(2) provides that the register approved for the purpose of registering certificates is the register kept by the registration body. Regulation 2(1) of the 2017 Regulations provides that the registration body is the SQA. Paragraph 8 replaces the references to the SQA with Qualifications Scotland.

Paragraph 9 amends the Student Support (Scotland) Regulations 2022 ("the 2022 Regulations"). Regulation 29 of the 2022 Regulations makes provision about the exercise of the power to grant an education maintenance allowance to persons undertaking a course of education. Regulation 29(3)(b)(i) provides that a course of non-advanced education means any course which prepares a person to a standard not higher than that required for a qualification awarded by the SQA. Paragraph 9 replaces the reference to the SQA with Qualifications Scotland. Regulation 13 of the 2022 Regulations provides that designated courses for student loans are contained in schedule 4. The courses listed in paragraphs 5 and 8 of schedule 4 make reference to qualifications of the SQA. Paragraph 9 replaces the reference to the SQA with Qualifications Scotland.

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