STATUTORY INSTRUMENTS

2025 No. 555

CONSTITUTIONAL LAW

DEVOLUTION, SCOTLAND

EDUCATION

The Scotland Act 1998 (Agency Arrangements) (Specification) (Recognition of Qualifications) Order 2025

Made - - - -	*6th May 2025*
Laid before Parliament	*13th May 2025*
Laid before the Scottish Parliament	*13th May 2025*
Coming into force - -	*1st July 2025*

At the Court at Buckingham Palace, the 6th day of May 2025

Present,

The King's Most Excellent Majesty in Council

His Majesty, in exercise of the powers conferred on Him by section 93(3) of the Scotland Act 1998(**a**), is pleased, by and with the advice of His Privy Council, to order as follows:

Citation, commencement and extent

1.—(1) This Order may be cited as the Scotland Act 1998 (Agency Arrangements) (Specification) (Recognition of Qualifications) Order 2025 and comes into force on 1st July 2025.

(2) This Order extends to England and Wales, Scotland and Northern Ireland.

Interpretation

2. In this Order—

"international agreement" means—

(a) the Convention on the Recognition of Qualifications concerning Higher Education in the European Region, signed by the United Kingdom at Strasbourg on 7th November 1997(**b**), or

(**a**) 1998 c. 46; section 93 was amended by section 23 of the Scotland Act 2012 (c. 11).
(**b**) Cmnd. 5577. United Nations Treaty Series, vol. 2136, p.3.

(b) the Global Convention on the Recognition of Qualifications concerning Higher Education, signed by the United Kingdom at Paris on 25th November 2019(**a**);

"non-UK qualification" means a qualification issued by a body located outside the United Kingdom;

"qualification" means any record, issued by a body whose ordinary activities include the issuing of such records, of having attained a particular standard following a course of study or training;

"UK ENIC service" means—

(a) a service pursuant to an international agreement requiring services to be provided relating to—

(i) the comparability, recognition or assessment of UK qualifications or non-UK qualifications, or

(ii) the provision of information or advice about such qualifications or the systems for awarding them, or

(b) any associated services provided by a person providing services mentioned in paragraph (a);

"UK qualification" means a qualification issued by a body located in the United Kingdom.

Specification of functions

3.—(1) The functions of the Scottish Ministers described in paragraph (2) are specified for the purposes of section 93(1) of the Scotland Act 1998.

(2) Any function that is exercisable by the Scottish Ministers in relation to establishing and maintaining the UK ENIC service, including, but not limited to—

(a) entering into, and the management of, contractual arrangements;

(b) making arrangements for the administration, collection and refund of fees or charges.

Richard Tilbrook
Clerk of the Privy Council

(**a**) Cmnd. 497. United Nations Treaty Series, registration number 57727.

EXPLANATORY NOTE

(This note is not part of the Order in Council)

This Order paves the way for the Scottish Ministers and a Minister of the Crown to enter into agency arrangements, under which a Minister of the Crown can exercise functions on behalf of the Scottish Ministers in relation to the recognition of non-UK and UK qualifications. Any such arrangements would be agreed between a Minister of the Crown and the Scottish Ministers.

The Order relates to the UK's National Information Centre (UK ENIC) which is part of the European Network of National Information Centres.

The services to which the functions relate are provided in pursuance of international obligations. The international obligations are principally set out in two international agreements, namely: the Convention on the Recognition of Qualifications concerning Higher Education in the European Region, signed by the United Kingdom at Strasbourg on 7th November 1997 (Cmnd. 5577. United Nations Treaty Series, vol. 2136, p. 3), and the Global Convention on the Recognition of Qualifications concerning Higher Education, signed by the United Kingdom at Paris on 25th November 2019 (Cmnd. 497. United Nations Treaty Series, registration number 57727).

Copies of the two international agreements that were in force immediately before this Order comes into force are published alongside this Order and copies can be obtained on request from the Department for Education, Sanctuary Buildings, Great Smith Street, London SW1P 3BT.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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