
EXPLANATORY NOTE

(This note is not part of the Order)

The Education (Recognised Bodies) Order 1999 (the “1999 Order”) which was made prior to Devolution lists all of the bodies appearing to the Secretary of State to be recognised bodies. Recognised bodies are bodies which fall within either section 214(2)(a) or (b) of the Education Reform Act 1988. Such bodies are either:

- (a) universities, colleges or other bodies authorised by Royal Charter or by or under Act of Parliament to grant degrees; or
- (b) bodies which are for the time being permitted by any body falling within (a) to act on its behalf in the granting of degrees.

Section 214 of the Education Reform Act 1988 makes it an offence for any person to grant, offer to grant or issue any invitation relating to any award which is not a recognised award but which may be taken to be an award granted or to be granted by a United Kingdom institution and is either described as a degree or may reasonably be taken to be a degree.

“Recognised awards” include awards granted or to be granted by a recognised body. Any body listed in the 1999 Order is conclusively presumed to be a recognised body for the purposes of section 214.

This Order amends the 1999 Order so as to update the list of bodies that was originally included in the Schedule to the 1999 Order. A number of bodies are omitted from the Schedule, as they no longer have degree awarding powers. This Order also adds a number of new bodies to the Schedule, as these bodies appear to the Scottish Ministers to fall within (a) or (b) above. A number of minor amendments have also been made to the Schedule to take account of name changes since the 1999 Order was made.

A Regulatory Impact Assessment has not been prepared for this instrument as it has no impact on the costs of business or charities.