



Learning and Skills Act 2000

2000 CHAPTER 21

PART V

MISCELLANEOUS AND GENERAL

External qualifications

97 Persons over 19

- (1) This section applies if an institution or employer—
 - (a) receives financial resources from an authorised body (as defined in section 100), and
 - (b) provides for persons who have attained the age of 19 a course of education or training which leads to an external qualification.
- (2) The authorised body must carry out its functions with a view to securing that, unless the external qualification is approved under section 98 or 99, the institution or employer does not make a payment which—
 - (a) is a payment in respect of the qualification,
 - (b) is made to the outside person who awards or authenticates the qualification, and
 - (c) can reasonably be said to consist of or come from the financial resources received from the authorised body (or those resources and others).
- (3) The course mentioned in subsection (1) may be one of two or more components leading to the same qualification.
- (4) An external qualification is a qualification awarded or authenticated by an outside person, other than a qualification resulting from any of these courses—
 - (a) a course for the further training of teachers or youth and community workers;
 - (b) a post-graduate course (including a higher degree course);
 - (c) a first degree course;
 - (d) a course for the Diploma of Higher Education;

Status: This is the original version (as it was originally enacted).

- (e) a course for the Certificate in Education.
- (5) A qualification is awarded by an outside person if it is awarded by a person other than the institution or employer or a member of its or his staff.
- (6) A qualification is authenticated by an outside person if it is awarded by the institution or employer and is authenticated by a person other than the institution or employer or a member of its or his staff.
- (7) A payment in respect of a qualification includes a payment in respect of—
 - (a) devising, administering, verifying or certifying the qualification;
 - (b) setting or moderating examinations for the purposes of the qualification;
 - (c) registering, assessing or examining candidates.