

EXPLANATORY MEMORANDUM TO
THE EDUCATION (QCA LEVY) (REVOCATION) REGULATIONS 2008

2008 No. 923

1. This explanatory memorandum has been prepared by the Department for Innovation, Universities and Skills and is laid before Parliament by Command of Her Majesty.

2. Description

2.1 These regulations (“the Regulations”) revoke the Education (QCA Levy) Regulations 2002 (S.I. 2002/435) (“the 2002 Regulations”) and The Education (QCA Levy) (Amendment) Regulations 2002 (S.I. 2002/1331) (“the 2002 amendment Regulations”) with effect from 30th September 2008.

3. Matters of special interest to the Joint Committee on Statutory Instruments

3.1 None

4. Legislative Background

4.1 The 2002 Regulations and the 2002 Amendment Regulations were made under Section 36 of the Education Act 1997. They provide for the imposition of a levy on an awarding body for the award of a National Vocational Qualification (NVQ) accredited by the Qualifications and Curriculum Authority (QCA).

4.2 These regulations will have the effect of revoking the 2002 Regulations and the 2002 Amendment Regulations and will come into force on the 30th September 2008.

5. Territorial Extent and Application

5.1 This instrument extends to England and Wales and Northern Ireland.

6. European Convention on Human Rights

As the instrument is subject to the negative resolution procedure and does not amend primary legislation, no statement is required.

7. Policy background

7.1 In the White Paper “*World Class Skills: Implementing the Leitch Review of Skills in England*”, the Government described its future plans for the National Occupational Standards levy, namely

“To give Sector Skills Councils (SSCs) a reliable source of income for their work on qualifications we propose, subject to discussion with Devolved Administrations, to

replace the current statutory levy on National Vocational Qualifications (“NVQs”) with a direct grant to SSCs from Autumn 2008”.

The policy aim is to simplify a bureaucratic system involving a number of different organisations which each incurs an administrative cost for its part in collecting and disbursing levy monies. The levy will be replaced by a direct grant to SSCs from 1st October 2008.

7.2 The devolved administrations, UK qualifications regulators, awarding bodies, SSCs, Learning and Skills Council for England and QCA are all in favour of this change.

7.3 It is anticipated that there will be limited interest in these regulations outside the qualifications and SSC sectors and therefore no wider consultation beyond that referred to in paragraph 7.2 has been undertaken.

8. Impact

8.1 An Impact Assessment has not been prepared for this instrument as it has no wider impact on business, charities or voluntary bodies.

8.2 The impact on the public sector is that the removal of the £10 levy charge will reduce the overall costs of NVQs.

9. Contact

Bruce Barclay at the Department for Innovation, Universities and Skills Tel: 0114 259 4731 or e-mail: bruce.barclay@dius.gsi.gov.uk can answer any queries regarding the instrument.