



# Apprenticeships, Skills, Children and Learning Act 2009

## 2009 CHAPTER 22

### PART 7

#### THE OFFICE OF QUALIFICATIONS AND EXAMINATIONS REGULATION

### CHAPTER 2

#### FUNCTIONS IN RELATION TO QUALIFICATIONS

#### *Recognition of awarding bodies*

#### **132 Recognition**

- (1) Ofqual must recognise an awarding body in respect of the award or authentication of a specified qualification, or description of qualification, to which this Part applies if—
  - (a) the awarding body has applied for recognition in the respect in question, and
  - (b) the body meets the applicable criteria for recognition most recently published under section 133.
- (2) Ofqual may not recognise an awarding body if the requirements set out in paragraphs (a) and (b) of subsection (1) are not met by the body.
- (3) A recognition—
  - (a) has effect from such date as Ofqual may specify,
  - (b) is subject to the general conditions,
  - (c) if in respect of a qualification subject to the accreditation requirement, is subject to an accreditation condition, and
  - (d) is subject to such other conditions that Ofqual may impose at the time of recognition or later.

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*Status: This is the original version (as it was originally enacted).*

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- (4) But Ofqual may, at the time of recognition or later, determine that a specified recognition is not to be subject to a specified general condition.
- (5) An accreditation condition in respect of a qualification subject to the accreditation requirement is a condition requiring that the recognised body may award or authenticate a particular form of the qualification only if, at the time of the award or authentication, that form of the qualification is accredited under section 139.
- (6) Ofqual may not charge an awarding body in respect of recognition.
- (7) If Ofqual refuses an application for recognition it must provide the awarding body with a statement setting out the reasons for its decision.
- (8) In this section “the general conditions”, in respect of a recognition of an awarding body, means the general conditions for the time being in force under section 134 which are applicable to the recognition and the body.
- (9) In this Chapter—
  - “awarding body” means a person who awards or authenticates, or who proposes to award or authenticate, a qualification to which this Part applies;
  - “recognised body” means an awarding body recognised under this section;
  - a “recognition” means a recognition under this section.