THE INSTITUTE OF CHARTERED ACCOUNTANTS OF SCOTLAND

EDUCATION REGULATIONS

9 JULY 2019
INDEX

Council, in terms of Rules 11.11.2, 11.11.4 and 11.11.5 of the ICAS Rules, hereby makes the following Regulations.

Arrangement of Regulations:

1. General
2. The Student Education Committee
3. The TPE Exam Board
4. The Academic Panel
5. Authorised Training Offices
1. **GENERAL**

**Citation and Commencement**

1.1 These Regulations, made by Council under Rule 11.11.2, may be cited as the ICAS Education Regulations, and shall come into force on 9 July 2019.

**Definitions**

1.2 In these Regulations, words and phrases have the same meaning as in the ICAS Rules.

**Notices**

1.3 Any notice or other document to be sent under these Regulations shall be delivered electronically, by hand or by post. It must be sent to the address that the Member, CA Student Member, Affiliate or Firm has given to ICAS for this purpose. Delivery shall be deemed to have occurred:

1.3.1 for emails, facsimile, and other electronic means, when sent;
1.3.2 by hand, when delivered;
1.3.3 by post, 48 hours after posting.

2. **THE STUDENT EDUCATION COMMITTEE**

**Constitution and composition**

2.1 The Qualifications Board shall establish a Student Education Committee comprised of six or more persons.

2.2 Appointments to the Student Education Committee shall be for a term of three years, renewable for one further term of three years at the discretion of the Qualifications Board.

2.3 The length and number of terms referred to in Regulation 2.2 may be extended or varied in exceptional circumstances, at the sole discretion of the Qualifications Board.

2.4 The Student Education Committee shall have a Chairman appointed by the Nominations Committee under Regulation 8.17.6 of the General Regulations.

**Conduct of business**

2.5 The Student Education Committee shall meet a minimum of three times a year.

2.6 At all meetings of the Student Education Committee, three members shall constitute a quorum.

2.7 A meeting of the Student Education Committee, or any Sub-Committee established under these Regulations, may be conducted in person, by email, telephone or other electronic or video conferencing.

2.8 The Chairman shall, in the case of an equality of votes, have a second or casting vote.

**Declaration of interest**

2.9 Each member of the Student Education Committee must declare any interest in any matter before the Student Education Committee. The Chairman may require that a member of the Student Education Committee who has declared such an interest withdraws from any discussion and decision on the matter concerned.

2.10 If the Chairman has declared an interest in a particular matter or is otherwise absent, the Student Education Committee may appoint one of its members to perform the functions of the Chairman.

**Remuneration**

2.11 Members of the Student Education Committee may be remunerated and shall otherwise be entitled to be reimbursed by ICAS for any expenses reasonably incurred in connection with their membership of the Student Education Committee, in accordance with any applicable expenses policy.
Powers and functions

2.12 The Student Education Committee shall have the power to:

2.12.1 determine the entry requirements for CA Student Members;
2.12.2 propose to the Qualifications Board the knowledge requirements for admission as a Member;
2.12.3 determine the skills and value requirements for admission as a Member;
2.12.4 determine the entry requirements for any qualifications established under Rule 9;
2.12.5 propose to the Qualifications Board the knowledge for any qualifications established under Rule 9;
2.12.6 determine the skills and value requirements for any qualifications established under Rule 9;
2.12.7 regulate Authorised Training Offices in accordance with Regulation 5;
2.12.8 remove a CA Student Member from Membership where the CA Student Member has not participated in training for a period of two years;
2.12.9 determine all other matters incidental to or arising from the exercise of any such powers delegated by Qualifications Board.

2.13 Subject to Regulation 2.14, the Student Education Committee may sub-delegate all or any of the powers and duties set out in these Regulations to an individual or Sub-Committee on such terms as it may decide.

2.14 The powers under the following Regulations shall not be delegated:

2.14.1 Regulation 2.12.1;
2.14.2 Regulation 2.12.3;
2.14.3 Regulation 2.12.4;

Reporting

2.15 The Student Education Committee shall report annually to the Qualifications Board.

3. THE TPE EXAM BOARD

Constitution and composition

3.1 The Qualifications Board shall establish a TPE Exam Board comprised of five or more persons, including at least one Lay Member.

3.2 Appointments to the TPE Exam Board shall be for a term of three years, renewable for one further term of three years at the discretion of the Qualifications Board.

3.3 The length and number of terms referred to in Regulation 3.2 may be extended or varied in exceptional circumstances, at the sole discretion of the Qualifications Board.

3.4 The TPE Exam Board shall have a Chairman appointed by the Nominations Committee under Regulation 8.17.6 of the General Regulations.

Conduct of business

3.5 The TPE Exam Board shall meet a minimum of two times a year.

3.6 At all meetings of the TPE Exam Board, three members shall constitute a quorum.

3.7 A meeting of the TPE Exam Board, or any Sub-Committee established under these Regulations, may be conducted in person, by email, telephone or other electronic or video conferencing.

3.8 The Chairman shall, in the case of an equality of votes, have a second or casting vote.
Declaration of interest
3.9 Each member of the TPE Exam Board must declare any interest in any matter before the TPE Exam Board. The Chairman may require that a member of the TPE Exam Board who has declared such an interest withholds from any discussion and decision on the matter concerned.

3.10 If the Chairman has declared an interest in a particular matter or is otherwise absent, the TPE Exam Board may appoint one of its members to perform the functions of the Chairman.

Remuneration
3.11 Members of the TPE Exam Board may be remunerated and shall otherwise be reimbursed by ICAS for any expenses reasonably incurred in connection with their membership of the TPE Exam Board, in accordance with any applicable expenses policy.

Powers and functions
3.12 The TPE Exam Board shall have the power to:
   3.12.1 assess whether the knowledge, skills and value requirements for admission as a Member have been met by a CA Student Member;
   3.12.2 determine all other matters incidental to or arising from the exercise of any powers delegated by Qualifications Board.

3.13 The TPE Exam Board may sub-delegate all or any of the powers and duties set out in Regulation 3.12 to a Sub-Committee on such terms as it may decide.

Reporting
3.14 The TPE Exam Board shall report annually to the Qualifications Board.

4. THE ACADEMIC PANEL

Constitution and composition
4.1 The Qualifications Board shall establish an Academic Panel comprised of three or more persons.

4.2 Appointments to the Academic Panel shall be for a term of three years, renewable for one further term of three years at the discretion of the Qualifications Board.

4.3 The length and number of terms referred to in Regulation 4.2 may be extended or varied in exceptional circumstances, at the sole discretion of the Qualifications Board.

4.4 The Academic Panel shall have a Chairman appointed by the Nominations Committee under Regulation 8.17.6 of the General Regulations.

Conduct of business
4.5 The Academic Panel shall meet a minimum of once a year.

4.6 At all meetings of the Academic Panel, three members shall constitute a quorum

4.7 A meeting of the Academic Panel, or any Sub-Committee established under these Regulations, may be conducted in person, by email, telephone or other electronic or video conferencing.

4.8 The Chairman shall, in the case of an equality of votes, have a second or casting vote.

Declaration of interest
4.9 Each member of the Academic Panel must declare any interest in any matter before the Academic Panel. The Chairman may require that a member of the Academic Panel who has declared such an interest withdraws from any discussion and decision on the matter concerned.

4.10 If the Chairman has declared an interest in a particular matter or is otherwise absent, the Academic Panel may appoint one of its members to perform the functions of the Chairman.
Remuneration
4.11 Members of the Academic Panel may be remunerated and shall otherwise be reimbursed by ICAS for any expenses reasonably incurred in connection with their membership of the Academic Panel, in accordance with any applicable expenses policy.

Powers and functions
4.12 The Academic Panel shall provide advice and assistance to the Qualifications Board in all matters relating to the Scottish Credit & Qualifications Framework including, but not limited to, the credit rating processes and procedures operated by ICAS.

Reporting
4.13 The Academic Panel shall report annually to the Qualifications Board.

5. AUTHORISED TRAINING OFFICES

Eligibility and application
5.1 In order to be eligible to be an Authorised Training Office an office must demonstrate to the satisfaction of the Student Education Committee that it meets the requirements prescribed by the Student Education Committee.

5.2 An application to be an Authorised Training Office shall:
5.2.1 be in the form prescribed by the Student Education Committee;
5.2.2 contain such information as may be required by the Student Education Committee.

Consideration of applications
5.3 On receipt of an application to be an Authorised Training Office, the Student Education Committee may:
5.3.1 grant the application;
5.3.2 grant the application with restrictions and/or conditions as it deems appropriate;
5.3.3 refuse to grant the application; or
5.3.4 request further information from the applicant

5.4 In taking a decision under Regulation 5.3, the Student Education Committee may take into account any information which may have a bearing on the suitability of the application to be an Authorised Training Office.

Obligations of Authorised Training Offices
5.5 An Authorised Training Office shall:
5.5.1 meet the standards of training as prescribed by the Student Education Committee;
5.5.2 co-operate with the Student Education Committee and provide it and its representatives with any information which is requested regarding the activities of the Authorised Training Office;
5.5.3 submit to such monitoring or inspection visits by ICAS or its representatives at such frequency or on such occasions as the Student Education Committee may decide;
5.5.4 comply with any orders or directions issued by the Student Education Committee;
5.5.5 inform the Student Education Committee immediately of any changes in the Authorised Training Office which have or may have an impact on its ability to meet the eligibility requirements prescribed under Regulation 5.1.

Powers of the Student Education Committee in respect of Authorised Training Offices
5.6 The Student Education Committee shall have the power to:
5.6.1 impose restrictions or conditions on an Authorised Training Office;
5.6.2 suspend the status of an Authorised Training Office;
5.6.3 withdraw the status of an Authorised Training Office
5.7 The powers in Regulation 5.6 shall be exercised by the Student Education Committee if it considers that:

5.7.1 the Authorised Training Office no longer meets the eligibility requirements prescribed under Regulation 5.1;

5.7.2 the Authorised Training Office has not complied with its obligations under Regulation 5.5;

5.7.3 the Authorised Training Office is otherwise not a fit and proper training environment for CA Student Members or individuals studying for qualifications under Rule 9.

5.8 A decision of the Student Education Committee under Regulation 5.6 shall come into effect on the expiry of 10 business days from service of its decision on an Authorised Training Office.

5.9 Where the Student Education Committee has served notice on an Authorised Training Office of a decision under Regulation 5.6, the Authorised Training Office may request a hearing before the Student Education Committee; such request to be submitted before the expiry of the timescale set out in Regulation 5.8.

5.10 If a request for a hearing is submitted in accordance Regulation 5.9, the decision of the Student Education Committee shall be delayed pending a hearing.

5.11 Where a hearing is held in accordance with Regulation 5.9, the Student Education Committee shall thereafter decide whether to:

5.11.1 affirm its decision;

5.11.2 vary its decision; or

5.11.3 withdraw its decision.