

Tertiary Education Report: Approval of NZQF Industry Training Programme Rules 2012 and NZQF Offshore Programme Delivery Rules 2012

Date:	20 September 2012	NZQA Priority:	Medium
Security Level:	In confidence	Report No.	CR 10037

Action Sought:

	Action Sought	Deadline
Minister for Tertiary Education, Skills and Employment	Approval of NZQF Industry Training Programme Rules 2012 Approval of NZQF Offshore Programme Delivery Rules 2012	At your earliest convenience

Contact for Telephone Discussion (if required)

Name	Position	Telephone		1 st Contact
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Enclosures: Appendix A and Appendix B

Minister's Office to Complete:

- ☐ Noted
 ☐ Seen
 ☐ Approved
☐ Needs change
 ☐ Withdrawn
 ☐ Overtaken by Events

Referred to:

Comments:

Tertiary Education Report: Approval of *NZQF Industry Training Programme Rules 2012* and *NZQF Offshore Programme Delivery Rules 2012*

Recommended Action

It is recommended that you:

- a. **note** the *NZQF Industry Training Programme Approval Rules 2012* presented in **Appendix A**
- b. **note** that the Rules were developed in collaboration with representatives from industry training organisations and the Industry Training Federation
- c. **note** that consultation feedback from the tertiary education sector, but primarily the industry training sector, informed the development of these rules
- d. **note** that industry training programmes differ in some respects from other programmes submitted to NZQA for approval, and ITOs cannot be accredited to provide the programmes, so a separate set of Rules has been developed
- e. **note** that in other respects industry training programmes and other approved programmes have broadly similar requirements
- f. **approve**, under section 253(5) of the Education Act 1989 consistent with the letter from Minister Parata (*who holds the Prime Minister's delegation for exercising this statutory power*), the *NZQF Industry Training Programme Approval Rules 2012* (as set out in Appendix A).

AGREE/DISAGREE

- g. **note** the *NZQF Offshore Programme Delivery Rules 2012* presented in **Appendix B**
- h. **note** NZQA has jurisdiction over offshore delivery of programmes leading to qualifications listed on the NZQF where that delivery is by or on behalf of New Zealand providers
- i. **note** requirements for offshore programme delivery were finalised following advice from an Offshore Sector Reference Group and sector consultation prior to the Education Amendment Act 2011, and that the Rules reflect that advice and follow further consultation with the sector
- j. **approve**, under section 253(5) of the Education Act 1989 consistent with the letter from Minister Parata (*who holds the Prime Minister's delegation for exercising this statutory power*), the *NZQF Offshore Programme Delivery Rules 2012* (as set out in Appendix B).

AGREE/DISAGREE



Catherine Williams
Acting Chief Executive

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Hon Steven Joyce
Minister for Tertiary Education, Skills and Employment

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Tertiary Education Report: Approval of NZQF Industry Training Programme Rules 2012 and NZQF Offshore Programme Delivery Rules 2012

Purpose of Report

1. This paper seeks your approval for two sets of new rules relating to the quality assurance of:
 - a. industry training programmes leading to qualifications listed on the New Zealand Qualifications Framework (NZQF); and
 - b. offshore delivery of programmes of study leading to qualifications listed on the NZQF.
2. The proposed rules, attached as **Appendix A and Appendix B**, were approved by the NZQA Board on 30 August 2012.

Background

NZQF Industry Training Programme Approval Rules

3. In June-July 2011 NZQA signalled its intention to introduce consistent quality assurance requirements for all programmes leading to qualifications listed at levels 1 to 6 on the NZQF through sector consultation on criteria for industry training programme approval, and introducing a new fee for these approvals. Previously, NZQA had not required such approvals from industry training organisations (ITOs) although this was legally allowable.
4. Subsequently, on 29 September 2011, the NZQA Board approved the application of the criteria for programmes of study to industry training programme approval from 1 January 2012.
5. Following Education Amendment Act 2011 NZQA established a Rules work programme under the amended section 253 of the Education Act 1989. This included an industry training Rules workstream. Proposed Rules for Industry Training Approval were developed collaboratively with a working group of representatives from industry training organisations.
6. NZQA consulted the tertiary education sector during May–June 2012 on the proposed Rules. Following sector feedback NZQA made minor changes to the Rules, including:
 - NZQA's initial definition of an Industry Training Programme allowed minimal flexibility for components other than assessment standards. The amended definition allows more flexibility beyond standards for the present and should there be relevant changes to the Industry Training Act following decisions arising from the Industry Training Review.
 - Where a programme developer is not the qualification developer, the Rules have been amended to require consultation with the qualification developer. It is not expected this situation will arise very often but brings this Rule into line with the proposed Rules for approval of programmes generally.
 - Where there are no current approved programmes for National qualifications these will be required once the New Zealand qualifications are listed.
7. Two small formatting changes have been made to the *NZQF Industry Training Programme Approval Rules 2012* after Board approval, but no change has been made to

the text. The changes were to remove paragraphing in the definition of recognition of prior learning, and for consistency to italicise the parenthesised words in rule 4.1.

Offshore Delivery Rules

8. The Government has an International Education Leadership Statement goal of growing the value of offshore education to half a billion dollars. NZQA can exert a positive influence on growth through its jurisdiction over the offshore delivery of programmes leading to qualifications listed on the NZQF, where that delivery is by or on behalf of New Zealand providers.
9. NZQA consulted with the tertiary education sector on draft Offshore Requirements in 2011. Having been developed with extensive advice from its Offshore Sector Reference Group, NZQA's proposals received widespread support from the tertiary education sector, including from Universities New Zealand.¹
10. Following the Education Amendment Act 2011, the draft requirements were converted into NZQA Rules made under section 253 of the Act. While a second round of sector consultation was unnecessary, NZQA re-engaged with the Offshore Sector Reference Group to ensure 'no surprises' for the tertiary education sector. The final product of this re-engagement is the *NZQF Offshore Programme Delivery Rules 2012* presented in Appendix B.
11. The NZQA Board requested two date changes to be made to Rules 10.2 and 10.3 so they applied a year earlier. These changes have been made along with two other minor changes: to align the definitions of Category 1 institution and Category 2 institution with the wording used in the draft External Evaluation and Review Rules currently under consultation; and clarify the non-compliance set out in Rule 10.3.

Comment

Industry training programme rules

12. The proposed Rules are a new requirement for ITOs. However, the approval process for industry training programmes will not be as extensive as that required for other kinds of programmes because the unit standards forming the basis of the programme are already quality assured.
13. The Rules only apply to industry training programmes of ITOs as it is not expected that other standard setting bodies will develop programmes of this nature.
14. Under the Industry Training Act, ITOs are unable to 'provide' programmes and therefore cannot obtain accreditation. The Rules reflect the differences between industry training and general programme provision.
15. In 2011 the Board approved the application of the standard NZQA fee of \$150 per hour (excluding GST) for the approval of industry training programmes as a first step towards creating an even playing field for all programme developers. Tertiary education providers already pay fees for the approval of programmes.
16. Hence NZQA is proposing in due course to apply the approved fee for approval of industry training programmes.

¹ The sector reference group comprised Universities New Zealand, New Zealand Institutes of Technology and Polytechnics (NZITP), the Metro Institutes of Technology and Polytechnics, New Zealand Association of Private Education Providers (NZAPEP), Te Wānanga o Aotearoa, English New Zealand, the Independent Tertiary Institutions, the Ministry of Education and the Tertiary Education Commission.

17. The estimated median cost for these industry training programme approvals has not changed since the estimate provided in May 2011 of \$1,050 per approval (CR8216 refers).

Offshore programme delivery rules

18. Currently, there is no formal and targeted quality assurance of any offshore programme delivery of NZQF qualifications, although 2010 Ministry of Education data indicated at least 2,898 offshore international students were enrolled with New Zealand tertiary education providers.
19. Some offshore delivery by institutes of technology and polytechnics and universities has already been approved, but there could be more 'undisclosed' involvement offshore. The transitional provisions within the Offshore Rules will identify its actual extent by requiring application for approval under these rules.
20. A number of providers that are new to offshore education have recently indicated their interest to NZQA in applying for offshore programme approval and accreditation. NZQA is finalising a guidance document for the sector, which will be launched at the Education New Zealand Conference in November 2012.
21. Providers wishing to deliver offshore will need to meet the general requirements for programme approval and accreditation, as well as the special requirements set out in the Rules to deal with offshore issues. The Offshore Rules also apply when New Zealand tertiary education providers are in partnership with overseas institutions.
22. Applications for offshore approval and accreditation will be processed at the standard NZQA rate of \$150 per hour + GST. Where the provider already delivers the programme in New Zealand the costs would be correspondingly lower. NZQA does not envisage offshore site approval visits, particularly considering that applications will only be accepted from universities and Category 1 and 2 institutions identified through NZQA's incentives and sanctions framework.

Future amendments to the Rules

23. Amendments to the rules need to follow the same process under section 253 as for making them, which includes consulting the affected class(es) of institutions. The more substantive the amendments the higher the intensity of that consultation. For example, minor amendments may require only email consultation while more substantive amendments may require face to face meetings. Before the amendments are valid, they will need Board and Ministerial sign-off.

Risks

24. **Industry Training.** Early signalling of NZQA's intent along with thorough consultation has mitigated any risks that industry training organisations could be surprised by the new requirement. Following your approval NZQA intends publishing the Rules and related Guidelines on its website and notifying all industry training organisations by email.
25. **Offshore Delivery.** The Offshore Rules offer New Zealand reputational benefits in the export education market through alignment with the UNESCO *Guidelines for Quality Provision in Cross-Border Higher Education*, which are an important international benchmark. The Offshore Rules also respond to and address issues raised by Asia-Pacific Economic Cooperation (APEC) economies about offshore education provision

within the region, which were discussed at the APEC conference on Cross-border Education in Shanghai in June 2011. NZQA attended that conference.

Authority to approve the Rules

26. The Rules are made under section 253 of the Education Act 1989. Minister Parata holds the Prime Minister's delegation for exercising this statutory power, which is in Part 20 of the Act. The previous Rules you have approved for NZQA were through section 7 of the Constitution Act. You asked whether an alternative solution could be found. NZQA contacted the Ministry of Education, and the Ministry has liaised with the Cabinet Office. The result is that the Cabinet Office agreed that a letter from Minister Parata to you as Minister for Tertiary Education, informing you that she is happy for you sign off Rules within your portfolio responsibilities, would suffice as an alternative solution. Minister Parata has signed that letter to you.

APPENDIX A: NZQF Industry Training Programme Approval Rules 2012

NZQF Industry Training Programme Approval Rules 2012

1. Authority

- 1.1 These Rules are made under section 253 of the Education Act 1989.

2. Commencement

- 2.1 These Rules commence on the day after the date of approval by the Minister under section 253(5) of the Act.

3. Interpretation

- 3.1 In these Rules, unless the context otherwise requires:

"Act" means the Education Act 1989:

"Credit value" means the number of credits, with each credit representing ten notional learning hours:

"Credit recognition and transfer" means a formal process whereby credit for outcomes already achieved by a student in relation to a qualification is recognised as credit for comparable outcomes in another qualification:

"Directory" means the Directory of Assessment Standards provided for in section 248A of the Act:

"Industry training organisation" has the meaning in section 159(1) of the Act:

"Industry training programme" means a programme that leads to a qualification listed on the NZQF and has the following features:

- (a) it is for training for the purposes of the Industry Training Act 1992; and
- (b) the programme describes all of the learning events and arrangements for training; and
- (c) the assessments are carried out by or on behalf of an industry training organisation:

"Level" means any of levels 1 to 10 of the NZQF:

"NZQA" means the New Zealand Qualifications Authority:

"NZQF" means the New Zealand Qualifications Framework:

"NZQF Programme Approval and Accreditation Rules" means the Criteria for Approval and Accreditation of Programmes published in the New Zealand Gazette (No 113) of 28 July 2011 at page 3207, which are deemed by section 44(1)(a) of the Education Amendment Act 2011 to be Rules made under section 253 of the Act until 31 December 2012; and includes any rules replacing those Criteria:

"Programme" has the same meaning as in section 159(1) of the Act:

"Recognition of prior learning" means a process that involves formal assessment of a student's relevant and current knowledge and skills (*gained through prior learning*) to determine achievement of learning outcomes of a qualification for the purpose of awarding credit towards that qualification; and for the avoidance of doubt it does not include credit recognition and transfer:

"Trainee" means the person who is being trained, and is a student for the purposes of section 248A(2) of the Act.

4. Relationship between these rules and the deemed programme rules

- 4.1 These Rules apply to industry training programme approvals applied for by, or granted to, industry training organisations for qualifications at levels 1 to 7 of the NZQF (*but not including degrees or post-graduate qualifications*).
- 4.2 The NZQF Programme Approval and Accreditation Rules do not apply to industry training programme approvals, but do apply to any accreditation to provide an approved industry training programme.

5. Criteria for approval of industry training programmes under section 249 of the Act

- 5.1 The following are the criteria for approval of industry training programmes of industry training organisations:

- (a) *Qualification to which the programme leads*

The programme meets the definition and specification of the applicable qualification type.

- (b) *Title, aims, learning outcomes and coherence*

The title, aims, stated learning outcomes and coherence of, and within, the whole programme are adequate and appropriate and meet the graduate profile and specification of the qualification listed on the NZQF.

- (c) *Specified requirements*

There is a written set of specified requirements for entry, credit recognition and transfer, recognition of prior learning, indicative programme length and structure, and assessment (*including assessment procedures*).

Integration of components into the programme structure is clear, relevant, and appropriate.

Specific resources needed for the programme are specified and meet the relevant consent and moderation requirements.

- (d) *Training arrangements and support*

The training arrangements and support provided are adequate and appropriate, given the learning outcomes for the programme and the context in which the programme is offered.

Where specific resources are necessary for the programme to be provided, those resources are clearly stated and fit for purpose.

(e) *Consultation*

The qualification developer (*where this is not the applicant*), and relevant key stakeholders are consulted, their views are considered, and there is a summary of the views and the consideration of them.

(f) *Assessment and moderation*

Assessment methodologies provide fair, valid, consistent and appropriate assessment of trainee achievement, given the stated learning outcomes.

There is an effective system for moderation of assessment materials and decisions.

(g) *Self-assessment and external evaluation and review*

As part of the institution's participation in self-assessment and in external evaluation and review, at a minimum the self-assessment includes adequate and effective processes for:

- the ongoing review of the programme, taking account of any review of the qualification:
- monitoring of the quality of outcomes for trainees and other stakeholders:
- keeping the specified requirements and content of the programme current and relevant.

6. Applications for approval of industry training programmes

6.1 Applications by industry training organisations for approval of industry training programmes must contain the following details:

- (a) the name and contact details of the applicant:
- (b) a title for the programme that properly reflects the qualification to which it leads:
- (c) credit value and level:
- (d) the assigned six digit code from the New Zealand Standard of Classification of Education (NZSCED) system:
- (e) information that demonstrates the programme meets the criteria in Rule 5.1:
- (f) evidence of the internal quality assurance approval of the industry training organisation:
- (g) a written self-assessment using guidelines from time to time published for the purpose on the NZQA website.

7. NZQA approval of applications

7.1 Approval will not be granted for an industry training programme which:

- (a) leads to a qualification that is a degree or post-graduate qualification at levels 7 to 10 on the NZQF;

- (b) includes in the title any of the words "degree", "bachelor", "master", "doctor", "undergraduate" or "postgraduate"; or
 - (c) includes in the title the name of a person, organisation, or product unless the applicant satisfies NZQA that there is a sound educational justification for the inclusion.
- 7.2 Where NZQA is satisfied that the requirements for the application have been met, NZQA will approve the programme and will advise the applicant.
- 7.3 NZQA will advise applicants if any of the requirements for the application require further work.
- 7.4 Where NZQA is not satisfied that the requirements are met, NZQA will not approve the programme, and will advise the applicant accordingly.
- 7.5 NZQA will publish on its website the details of successful applicants' programme of training approvals.
- 8. Requirements to be met by industry training organisations to maintain approval**
- 8.1 Industry training organisations holding an industry training programme approval must ensure:
- (a) the criteria in Rule 5.1 continue to be met:
 - (b) there is a permanent and accurate record kept of trainee enrolment and achievement:
 - (c) there are regular reviews of the programme:
 - (d) active participation and cooperation in reviews of the qualification the programme leads to, including where the review involves suites of qualifications:
 - (e) there is accessible and current information available in respect of the reviews, the monitoring of the quality of outcomes for trainees and other stakeholders, and keeping the specified requirements and content of the programme current and relevant.

APPENDIX B: NZQF Offshore Programme Delivery Rules 2012

NZQF Offshore Programme Delivery Rules 2012

1. Authority

- 1.1 These Rules are made under section 253 of the Education Act 1989.

2. Commencement and application

- 2.1 These Rules commence on the day after the date of approval by the Minister under section 253(5) of the Act.

3. Interpretation

- 3.1 In these Rules, unless the context otherwise requires:

"Act" means the Education Act 1989:

"Accreditation" means accreditation to provide all or part of an approved programme under section 250 of the Act:

"Category 1 institution" means an institution (*other than a university*) that has received, in the most recent external evaluation and review carried out by NZQA in respect of that institution, statements of confidence that are either:

- (a) *Highly Confident* in educational performance and *Highly Confident* in organisational capability in self-assessment; or
- (b) *Highly Confident* in educational performance and *Confident* in organisational capability in self-assessment:

"Category 2 institution" means an institution (*other than a university*) that has received, in the most recent external evaluation and review carried out by NZQA in respect of that institution, statements of confidence that are either:

- (a) *Highly Confident* organisational capability in self-assessment and *Confident* in educational performance; or
- (b) *Confident* in educational performance and *Confident* in organisational capability in self-assessment:

"Credit value" means the number of credits, with each credit representing ten notional learning hours:

"Deemed programme rules" means the Criteria for Approval and Accreditation of Programmes published in the New Zealand Gazette (No 113) of 28 July 2011 at page 3207, which are deemed by section 44(1)(a) of the Education Amendment Act 2011 to be Rules made under section 253 of the Act; and includes any Rules replacing the Criteria for Approval and Accreditation of Programmes prior to, on, or after the expiry of the Criteria on 31 December 2012:

"External evaluation and review", for the purposes of the definitions of "Category 1 institution" and "Category 2 institution", means the quality assurance system known as self- assessment and external evaluation and review, in which institutions are required to participate by rules made under section 253 of the Act:

"Institution" has the same meaning as in section 249(1) of the Act in relation to programme approval, and as in section 250(1) of the Act in relation to accreditation:

"Level" means any of levels 1 to 10 of the NZQF:

"NZQA" means the New Zealand Qualifications Authority:

"NZQF" means the New Zealand Qualifications Framework:

"Offshore partner organisation" means an organisation that is used, or is to be used, by an institution for all or part of offshore programme delivery:

"Offshore programme delivery" means provision of a programme overseas that leads to a qualification on the NZQF:

"Programme" has the same meaning as in section 159(1) of the Act:

"Universities New Zealand" means the New Zealand Vice-Chancellors' Committee established under section 240 of the Act.

4. Programme approval and accreditation requirements for offshore programme delivery

4.3 Applications for programme approval and accreditation for offshore programme delivery may only be made by universities and by Category 1 and Category 2 institutions.

4.4 Institutions must meet the following rules prior to carrying out offshore programme delivery:

- (a) the deemed programme rules; and
- (b) Rule 5.1 (containing the special programme approval criteria); and
- (c) Rule 6.1 (containing the special accreditation criteria); and
- (d) Rule 7.1 (content of an application).

4.5 For the avoidance of doubt, an institution is required to obtain accreditation whether or not it is using an offshore partner organisation.

4.6 Where an institution is using an offshore partner organisation, the institution remains responsible under these rules for the actions and performance of the offshore partner organisation in relation to the offshore programme delivery.

5. Special programme approval criterion for offshore programme delivery

5.1 The special programme approval criterion for offshore programme delivery is:

CRITERION 1 PROGRAMME DESIGN AND DELIVERY

The institution ensures the design of the offshore programme is suited to delivery in the host country and suited to the needs of the intended and enrolled students.

The institution ensures that the following matters are comparable to New Zealand-based programme delivery:

- programme learning outcomes:

- content:
- acceptability to the qualification developer, relevant academic bodies, employers, industry bodies, professional bodies, and other relevant bodies and communities:
- student workload (particularly credit value, level, and duration).

6. Special accreditation criteria for offshore programme delivery

6.1 The special accreditation criteria for offshore programme delivery are:

CRITERION 2 OFFSHORE RELATIONSHIPS

The institution must ensure that any offshore partner organisation being used for the offshore programme delivery:

- is recognised as a legal entity in the host country:
- has appropriate financial performance and stability.

Where the offshore partner organisation is used for delivery of teaching the institution must take reasonable steps to be satisfied that the offshore partner organisation:

- has sufficient and appropriate tertiary education experience and is lawfully allowed to provide tertiary education in the country in which the delivery occurs:
- has an ownership and structure (*including in management and administration*) suitable for the offshore programme delivery:
- is a reputable provider of education in its host country and any other country:
- is providing teaching facilities, educational resources, and student services and support that are appropriate.

CRITERION 3 FORMAL AGREEMENT WITH OFFSHORE PARTNER ORGANISATION

The institution must have in place a formal agreement with any offshore partner organisation that is executed by their senior officials with formal legal authority to enter the agreement on behalf of both of them.

The agreement must include provisions that:

- define how the institution and offshore partner organisation will continue to comply with these rules and the deemed programme rules:
- identify clear channels of authority and accountability for decision-making between the institution and the offshore partner organisation for the offshore programme delivery:
- cover compliance with local requirements relating to the offshore programme delivery:
- appropriately manage all actual and potential conflicts of interest.

CRITERION 4 RESOURCES

The institution ensures it has appropriate resources to enable successful outcomes for overseas students, and that the resources are of comparable quality, type and availability to those used in New Zealand.

CRITERION 5 ASSESSMENT AND MODERATION

The institution ensures that assessments conducted offshore apply assessment methods and criteria consistent with approved programmes for New Zealand delivery while allowing for appropriate adaptation for offshore delivery.

The institution undertakes moderation of offshore examinations and assessments.

CRITERION 6 ACADEMIC AND OTHER STAFF

The institution ensures that the qualifications, experience, teaching skills, management, and oversight of offshore teaching staff are suitable and effective for the offshore programme delivery.

The institution's staff selection, management, and oversight are appropriately adapted to offshore delivery.

CRITERION 7 STUDENT SUPPORT AND COMPLAINTS

The institution ensures the student and academic support services, and the procedures to manage student complaints, are effective for offshore programme delivery.

CRITERION 8 STUDENT INFORMATION

The institution ensures that relevant and accurate information relating to the programme is provided to intending and enrolled students, including information on the language of programme delivery and assessment, and information on available student support and guidance.

CRITERION 9 FEE REFUNDS AND CLOSURES

The institution ensures that fee refund provisions are clear, and will not undermine the educational reputation of New Zealand.

In the event of programme closure for any reason, the institution ensures there is appropriate alternative provision of education available to offshore students enrolled at the time.

CRITERION 10 QUALITY ASSURANCE AND MANAGEMENT

The institution ensures that the special considerations for offshore programme delivery are incorporated within its quality assurance and management systems, and that all applicable quality assurance requirements in the host country are identified and met.

7. Applications for offshore programme delivery by institutions other than universities

- 7.1 Applications for offshore programme delivery (*from institutions other than universities*) must describe how the offshore programme delivery will comply with the rules specified in paragraphs (a) to (c) of Rule 4.2.
- 7.2 Applicants will be advised if the application requires a site visit or further work.
- 7.3 Where the requirements for the application have been met, the application will be approved and the applicant will be advised.

7.4 Where the requirements have not been met, the application will not be approved, and the applicant will be advised accordingly.

7.5 Details of successful applications will be published on the NZQA website.

8. Applications for offshore programme delivery by universities

8.1 Applications by universities for offshore programme delivery will be decided by Universities New Zealand under section 253A of the Act, in accordance with any procedures set up for inter-university course approval and moderation under section 241(a) of the Act.

9 Requirements to be met to maintain approval

9.1 Institutions with offshore programme delivery approval must:

(a) continue to meet the deemed programme rules and the criteria in Rules 5.1 and 6.1:

(b) ensure there is a permanent and accurate record kept of student enrolment and achievement:

(c) as part of the institution's participation in self-assessment and external evaluation and review, ensure there are regular reviews of the programme and its delivery offshore, including reviews of any delivery by an offshore partner organisation.

10. Transitional provisions for institutions other than universities

10.1 Institutions (*other than universities*) that were carrying out offshore programme delivery at the time these Rules came into force, but had not previously obtained approval for offshore delivery of the programme, must apply for offshore programme delivery approval under these Rules by 31 December 2013.

10.2 Institutions (*other than universities*) that were carrying out offshore programme delivery at the time these Rules came into force, but had previously obtained approval for offshore delivery of the programme, must reapply for offshore programme delivery approval under these Rules by 31 December 2013.

10.3 Institutions of the kind described in Rules 10.1 and 10.2 that have not obtained offshore programme delivery approval under these Rules by 30 June 2014 will be non-compliant with these Rules if they continue to provide the programme offshore after that date.