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THE ACCREDITATION ACT, 2006
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SCHEDULE

ANTIGUA AND BARBUDA

THE ACCREDITATION ACT, 2006

A BILL FOR

AN ACT to provide for the National Accreditation Board, to vest in that Board the power to accredit institutions and programmes of study in Antigua and Barbuda and elsewhere, to provide for the process and mechanism of accrediting institutions and programmes of study and to provide for other related matters.

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the House of Assembly and the Senate of Antigua and Barbuda, and by the authority of the same, as follows-

PART 1

PRELIMINARY

1. (1) This Act may be cited as the Accreditation Act 2006.
- (2) This Act shall come into operation on a day to be fixed by the Minister by Order published in the *Gazette*.

Short title and commencement

2. In this Act-

“accredit” means the according of recognition by the Board on the basis of an informed evaluation, that the programmes of study offered by an institution and any award it confers satisfy standards prescribed or approved by the Board;

Interpretation

“accreditation” means a determination by the Board that an institution or a programme of study meets the prescribed standard stipulated by the Board;

“accredited certified institution” means an institution which has been accredited by the Board and has been issued a certificate of accreditation has been granted pursuant to section 20;

“Board” means the Accreditation Board established pursuant to section 3;

“course” means a defined body of knowledge, skills and attitudes designed to be inculcated over a specified period and to which one or more credits may be awarded;

“credit” means a unit of academic measurement for a prescribed course or set of courses for which a particular qualification is awarded;

“equivalence” means a determination by the Board that a particular programme of study has attained a comparable recognised standard;

“higher education” means the teaching and learning process that occurs following completion of secondary schooling or its equivalent and which leads to the award of a sub-baccalaureate qualification, baccalaureate degree and post graduate degrees;

“institution” means an educational entity with a defined structure providing for the administration, governance, delivery and certification of a range of programmes leading to the granting of awards or credits;

“Minister” means the Minister responsible for education;

“programme of study” means an approved curriculum comprising a series of courses in an academic or vocational speciality leading to an award;

“provider” means a person or body offering one or more programmes or courses leading to an award or credit;

“standard” means a defined level of achievement employed as a measurement of the quality of education;

“validate” means to determine after assessment whether a new course leading to an award satisfies the recognised standards for that award and “validation” shall be construed accordingly.

**ESTABLISHMENT AND FUNCTIONS OF
ACCREDITATION BOARD**

3. (1) There is hereby established a Board to be known as the National Accreditation Board.

Establishment of
Board

(2) The Board shall be a body corporate with perpetual succession and a common seal and shall be capable of-

- (a) acquiring, holding and disposing of real and personal property;
- (b) suing and be sued; and
- (c) doing and suffering such acts and things as bodies corporate may lawfully do and suffer.

4. (1) The Board shall consist of the following persons-

Composition of
Board

- (a) the Chief Education Officer;
- (b) a representative from the Antigua and Barbuda Trade Union Congress;
- (c) a representative each from the professional bodies to be nominated by each professional association;
- (d) the head the Teachers Training department at the Antigua State College;
- (e) the Permanent Secretary in the Ministry of Health;
- (f) a representative from the Chamber of Industry and Commerce;
- (g) a legal officer from the Attorney General's Chambers;
- (h) the principal of the Antigua State College;

(j) a representative from the department of Planning; and

(k) the Director of Culture

(2) A member of the Board shall be appointed by the Minister by instrument published in the *Gazette* and shall hold office for a period as the Minister may direct and such member shall be eligible for reappointment.

(3) A member of the Board shall be paid such remuneration and expenses as the Minister may determine.

5. (1) The Board shall meet at such times as may be necessary or expedient for the transaction of its business, and such meetings shall be held at such place and such times and days as may be determined by the Board.

Meetings of the Board

(2) At the first meeting of the Board, the members of the Board may appoint a Chairperson and a Deputy Chairperson from amongst its members.

(3) At a meeting of the Board –

(a) the Chairperson shall preside;

(b) if the Chairperson is not present the Deputy Chairperson shall preside;

(c) if neither the Chairperson nor the Deputy Chairperson is present, the members present shall choose one of their number to preside.

(4) The Chairperson of the Board may at any time call a special meeting of the Board to be held within seven days of a written request for that purpose addressed to the Chairperson by any other member of the Board.

(5) Subject to the provisions of this Act, the Board may regulate its own proceedings.

(6) The validity of any proceedings of the Board shall not be affected by any vacancy amongst the members of the Board or by any defect in the appointment of a member of the Board.

6. (1) A meeting of the Board is duly constituted for all purposes if at the commencement of the meeting there is a quorum of not less than seven members of the Board participating in the meeting.

Quorum

(2) At any meeting dealing with the determination of accreditation where appointed members of the Board are from the field of accreditation, at least one member of the Board must be from the field of the accreditation.

7. (1) Decisions of the Board shall be taken by a majority of the votes of members present and voting at the meeting.

Voting

(2) The Chairperson shall have the right to vote and in cases of equal division the Chairperson shall have the casting vote.

8. The Board may co-opt any person to attend any particular meeting of the Board at which it is proposed to deal with a particular matter, for the purpose of assisting or advising the Board, but no such co-opted persons shall have the right to vote.

Additional person to attend meetings

9. (1) A member of the Board shall at all times preserve and aid in preserving confidentiality with regard to all matters coming to his or her knowledge in the performance of his or her duty pursuant to the provisions of this Act.

Oath of secrecy

(2) Except with the written consent of the Board or for the performance of his or her duties or pursuant to a legal obligation, a member, officer or employee of the Board shall not communicate any confidential matter to any person nor permit any person to have access to any records in the possession, custody or control of the Board.

(3) Every member, officer and employee of the Board shall be required to take the oath of secrecy specified in the First Schedule.

10. No action or other proceeding shall lie against any member, officer or employee of the Board for or in respect of an act done or omitted to be done in good faith in the exercise or purported exercise of his or her functions pursuant to the Act.

Protection from liability

11. (1) The Board shall appoint a person to be Secretary to the Board.

(2) The Secretary shall be responsible for the taking and keeping of minutes of the Board and for keeping custody of the Seal of the Board.

12. (1) The Board shall have and use as occasion may require a Seal having a device or impression with the inscription “National Accreditation Board”.

(2) The Seal of the Board shall be kept in the custody of the Chairperson and shall be affixed to all documents pursuant to a resolution of the Board in the presence of the Chairperson and any other member of the Board.

(3) The Seal shall be authenticated by the signatures of the Chairperson or any other member authorised to act in his behalf.

13. (1) There shall be an Executive Director of the Board who shall be appointed by the Board upon consultation with the Minister and he or she shall be an ex officio member of the Board.

(2) The Executive Director shall be paid such remuneration as the Board may determine and his or her appointment shall be on such terms as the Board may determine.

(3) Subject to subsection (4), the Board shall appoint such other officers and employees as the Board may deem necessary and at such remuneration and on such terms as the Board may determine.

(4) No salary exceeding forty thousand dollars per annum shall be assigned to any post and no appointment shall be made to any post to which a salary exceeding forty thousand dollars per annum is assigned, without the prior consent and approval of the Minister.

(5) Notwithstanding subsection (4) a person may be appointed by transfer or secondment from the Civil Service and in such cases shall maintain all salary, pension and other rights.

14. (1) The functions of the Board are as follows:

- (a) to consider applications for accreditation submitted to the Board pursuant to the provisions of section 15;
- (b) to accredit and re-accredit institutions operating in Antigua and Barbuda and the programmes of study offered;

- (c) to register institutions within and outside Antigua and Barbuda which offer programmes of study in Antigua and Barbuda;
- (d) to maintain a record of the institutions that are registered and accredited by the Board;
- (e) to ensure that the quality of all higher education programmes offered in Antigua and Barbuda meets the standards set by the Board for any award;
- (f) to ensure the maintenance of the appropriate standards, whether set by the Board or by any other accreditation body having jurisdiction to set standards to be followed by the Board;
- (g) to provide for the validation and recognition of new programmes of study offered by institutions operating in Antigua and Barbuda;
- (h) to advise on the recognition of foreign-based institutions and the awards which they offer;
- (i) to determine equivalency of programmes of study and qualifications in accordance with the framework established by the relevant accreditation body;
- (j) to develop and maintain a unified system of credits for institutions;
- (k) to accept credits granted by other recognised bodies;
- (l) to establish relationships with national and external accrediting and quality assurance bodies and keep under review their systems of accreditation, procedures and practices;
- (m) to provide advice on accreditation and related matters;
- (n) to seek to enhance the quality of higher education and training in Antigua and Barbuda

and to disseminate good practices by conducting research and training;

- (o) to promote a quality assurance ethos and a programme of accreditation and registration in Antigua and Barbuda;
- (p) to protect the interests of students;
- (q) to provide the public with information on the quality and recognition of programmes of study and institutions in order to protect the public interest;
- (r) to undertake audits, reviews and evaluations independently or in co-operation with other bodies as the Board may consider necessary for the discharge of its functions;
- (s) to establish the requirements and regulations with which an institution must comply in order to be registered with, have their programmes of study accredited, re-accredited or validated; or have their awards recognised by the Board;
- (t) to advise the Minister on the issuance of charters, licences or other authorisations to institutions to operate or to continue their operations or to alter their existing operations on the basis of an appropriate evaluation;
- (u) to accept courses or programmes of study successfully completed by students in partial fulfilment of programmes and examinations recognised by the Board;
- (v) to fix and collect fees in connection with the exercise of its functions;
- (w) to revoke a certificate of accreditation granted to, or conferred on any institution or provider if the Board considers that there is good and sufficient cause to do so;
- (x) to deprive persons of awards or distinctions granted to or conferred on them by the Board

if the Board considers that there is good and sufficient cause to do so; and

- (y) to do or cause to be done such other things as the Board considers expedient or necessary for the performance of its functions pursuant to the provisions of this Act.

(2) The Board shall –

- (a) examine and verify certificates of recognition of Community nationals seeking to engage employment in Antigua and Barbuda pursuant to Article 46 of the Treaty;
- (b) grant certificates of recognition in accordance with the provisions of the Free Movement of Skilled Nationals Act.

(3) For the purposes of this section;

“Community national” means a national of a country listed in Schedule 1 of the Caribbean Community Skilled Nationals Act; and

“Treaty” means the Revised Treaty of Chaguaramas establishing the Caribbean Community including the CARICOM Single Market and Economy signed at Nassau, the Bahamas, on 5 July 2001.

(4) Notwithstanding the provisions of any other law, the Board shall be the principal body in Antigua and Barbuda for conducting and advising on the accreditation and recognition of institutions, programmes of study and awards, whether foreign or national.

PART 3

ACCREDITATION OF INSTITUTIONS AND PROGRAMMES OF STUDY

15. (1) A person who wishes to be accredited pursuant to the provisions of this Act shall make an application to the Board pursuant to subsection (2).

Application for
accreditation

(2) The application shall-

- (a) be made to the Board;
- (b) be in writing in the prescribed form; and
- (c) be accompanied by the prescribed fee.

(3) Upon receipt of the application, the Board shall consider whether the applicant complies with or meets the relevant requirements which may be prescribed or stated pursuant to the provisions of this Act.

(4) The Board shall not in consideration of an application be restricted to the information contained in the application.

16. (1) The Board may, by giving notice to the applicant, require the applicant to provide to the Board within a reasonable time of at least fourteen days as stated in the notice, further information which the Board may reasonably require to make its recommendation to the Minister on the application.

Request for further information to support application

(2) The applicant is taken to have withdrawn the application if within the time stipulated in the notice the applicant does not comply with the requirement unless a extension has been requested and granted.

17. In addition to the matters to be considered by the Board pursuant to section 15 (3) the Board may in considering an application for accreditation take into account the following additional matters:

Additional matters to be considered by the Board

- (a) the mission of the institution or programme of study and any specialized programme which the institution intends to offer or offers;
- (b) the goals and objectives of the institution or programme of study;
- (c) the conditions under which the goals or objectives are to be achieved;
- (d) the expected standards and how these standards are to be maintained;
- (e) the list of programmes of study or courses to be offered and the policy regarding course credits;
- (f) any links with other accredited institutions;

- (g) a student registry, and the admissions policy;
- (h) the maintenance of student records;
- (i) the availability of student counselling services and procedure for monitoring student performance;
- (j) in the case of recruitment of students into an institution;
 - (i) the recruitment procedures;
 - (ii) the curriculum vitae of staff;
 - (iii) the general productivity measures relating to staff performance;
- (k) examination regulations and procedures with particular emphasis on;
 - (i) how written exams are set, marked, and how student appeals are conducted;
 - (ii) how oral exams such as research proposals are conducted;
 - (iii) the grading systems as a basis of evaluating student performance;
- (l) the procedure for selecting external examiners and how such examiners function;
- (m) the availability of library and research facilities with particular emphasis on;
 - (i) the adequacy of such facilities;
 - (ii) their linkages with other libraries and other institutions in the Caribbean and outside the Caribbean;
- (n) the proposed physical location of the institution with particular emphasis on;
 - (i) projections regarding student enrolment and staff size;

- (ii) provisions for classrooms, laboratories, and offices;
- (o) proposals regarding the financing and management of the institution with particular emphasis on:
 - (i) the charter of the institution;
 - (ii) the governing body of the institution; and
 - (iii) costs and efficiency of the institution;
- (p) any benefits which may accrue to the local economy.

18. (1) Upon completion of its consideration of the application, the Board shall-

- (a) submit to the Minister a written report on the application; and
- (b) submit to the applicant a copy of the report.

Report to the Minister with respect to application

(2) The report shall contain the recommendation of the Board as to whether the Minister may grant or refuse the application for accreditation and if the Board recommends that accreditation be granted it may specify conditions which the Minister may impose upon the granting of such accreditation.

(3) For the purposes of this section-

“recommendation” includes reasons for a decision taken by the Board.

19. (1) The Minister shall in accordance with the recommendation made by the Board pursuant to section 18, grant or refuse the application for accreditation.

Decision on application

(2) If the Minister grants the application, the Minister shall as soon as practicable provide the Board and the applicant with notice in writing of the decision.

(3) If the Minister refuses the application, the Minister shall as soon as practicable provide the Board and the applicant with notice in writing of the decision.

(4) If the Minister fails to decide the application within six months after receipt, the Minister is taken to have decided to refuse to grant the application.

20. (1) Where the Minister approves the application pursuant to section 19, the Board shall forthwith grant to the applicant a certificate of accreditation as may be prescribed.

Issuance of
certificate of
accreditation

(2) The certificate of accreditation shall state the period of validity of accreditation and shall remain the property of the Board and shall be returned to the Board upon withdrawal, revocation or expiry.

21. (1) Pursuant to section 19, a person who is aggrieved by a decision of the Minister shall have a right to have the decision reviewed if he or she makes an application to the Minister within 30 days after being given notice of the decision that he wants reviewed.

Appeal

(2) On receipt of the application, the Minister shall cause an inquiry to be conducted concerning the matters raised in the application by such person or persons as the Minister appoints in writing for that purpose.

(3) An inquiry shall be conducted according to the substantial merits of the case without regard to technicalities.

(4) Pursuant to subsection (2) the person conducting an inquiry shall not be bound by any rules of evidence and may conduct the inquiry and obtain information as he or she considers appropriate.

(5) On completing the inquiry, the person conducting such enquiry shall report to the Minister stating his or her findings and recommendations and the Minister shall be bound by any findings and recommendations made by such person.

(6) The Minister shall submit in writing to the applicant who has lodged the appeal, the findings of the inquiry.

(7) The decision of the inquiry shall be final and shall only be subject to judicial review.

22. A certificate of registration shall be valid for period not exceeding three years and may be renewed provided the applicant meets the requirements as provided for in this Act and any Regulations made pursuant to this Act.

Validity of
certificate
registration

23. (1) An institution or person that has been issued a certificate of accreditation pursuant to this Act, shall within one month of the grant of the certificate of accreditation, prepare an operational plan to be submitted to the Board.

Preparation and submission of operational plan

(2) The operational plan shall inform the Board in writing of any management and organisational changes including the following along with the applicable documents:

- (a) the name and address of the institution;
- (b) the structure of the organisation;
- (c) change of ownership , if any;
- (d) changes in any member of staff who could affect the performance or competence of the institution;
- (e) any other documents as may be prescribed.

24. The Board or any person who has been authorised by the Board, may carry out unscheduled surveillance visits to an institution that has been accredited at intervals other than those which may be prescribed.

Duty of Board to carry out assessments and surveillance visits

25. (1) The Minister shall prescribe a Mark which shall be called the Antigua and Barbuda Accreditation Mark (hereinafter referred to as “the Mark”).

Establishment of Accreditation Mark

(2) A person shall not use the Mark unless he or she has been issued a certificate of accreditation in accordance with the provisions of this Act and has obtained a license from the Board to use the Mark.

(3) A person who has been issued with a certificate of accreditation pursuant to section 20 and who wishes to use the Mark may make an application to the Board in the prescribed form.

(4) The Board shall grant a licence to the applicant subject to the payment of a prescribed fee and the conditions which may be prescribed and shall provide the applicant with a registration number to be inserted on the Mark.

(5) The Mark shall not be used by any person on any document unless the document relates in whole or in part to activities which have been accredited by the Board.

- (6) The Board may make rules to govern the use of the Mark.

26. All information obtained by the Board or the staff of the Board in the assessment of an institution shall be confidential and shall not be, subject to the laws of Antigua and Barbuda, divulged without the prior written consent of the accredited certified institution.

Confidentiality

PART 4

DUTIES OF ACCREDITED CERTIFIED INSTITUTIONS

27. (1) An accredited certified institution or person shall offer to all clients a standard of service that is consistent with the term and conditions listed pursuant to this Part or which may be prescribed and the criteria of competence to which it has been accredited.

Conditions to be met by accredited certified institutions

(2) It shall be a condition of approval that an accredited certified institution or person offers the Board and its representatives such reasonable access to its premises and co-operation as may be deemed necessary, to enable the Board or its representatives to monitor compliance with the term and conditions of this Act or any regulations made pursuant to this Act.

(3) Pursuant to sub section (2), the accredited certified institution or person shall make available to the Board or its representatives, all information and relevant documents.

(4) An accredited certified institution or person shall -

- (a) at all time comply with the terms and conditions of this Part and with the criteria of competence prescribed by the Board;
- (b) only claim that it is accredited in respect of those activities which are approved by the Board and where the institution wishes to operate outside the scope of its of accreditation, the institution shall provide on any document or certificate issued in connection with the non-accredited activity, a clear statement to the effect that the activity is not one that has been accredited by the Board.

- (c) pay promptly such fees for application, assessment and surveillance and such other services as shall from time to time be determined by the Board;
- (d) not use the certificate of accreditation in such a manner as to bring the arrangements for accreditation in disrepute, and shall not make any statement, and shall not take any steps as the Board may require necessary to correct; and
- (e) upon termination or revocation of the term of accreditation, forthwith discontinue its use of reference to accreditation and withdraw all advertising matter which contains any reference to accreditation.

(2) An accredited certified institution or person who wishes to refer to the fact that it has been accredited by the Board in its documents, brochures or advertising media shall:

- (a) in a case which a standard Mark and a registration number has been issued by the Board use the following phrase -

“an accredited certified institution listed under registration number”;

- (b) in any other case, use the following phrase:

“listed in the Antigua and Barbuda registry of accredited certified institutions.”

PART 5

REVOCATION OF CERTIFICATION OF ACCREDITATION

28. (1) Subject to section 29, the Board may advise the Minister to revoke a certificate of accreditation issued pursuant to this Act, where the Board has reasonable grounds to believe that a holder of a certificate of accreditation has breached any of the conditions pursuant to the provisions of this Act or any Regulations made hereunder.

Grounds for
revocation

(2) If the Minister acting on the advice of the Board believes that a ground exists to revoke a certificate of accreditation, the Minister shall issue to the holder of the certificate of accreditation a notice stating the following:

- (a) the action which the Minister proposes to take pursuant to this Part;
- (b) the ground for the proposed action;
- (c) an outline of the facts and circumstances forming the basis for the grounds; and
- (d) an invitation to the holder of the certificate of accreditation to show within a specified period reasons why the proposed action shall not be taken.

(3) The specified period under subsection (3) shall be a period ending at least thirty days after notice pursuant to subsection (2) is given to the holder of the certificate of accreditation.

29. The holder of a certificate of accreditation may make written representation with respect to the notice and the Minister shall consider all such representations made by him or her.

Representations made by holder of certificate of accreditation

30. (1) If, after considering the representations made pursuant to section 29, the Minister no longer believes that the ground exists to revoke the certificate of accreditation, the Minister-

Action taken by the Minister

- (a) shall not take further action with respect to the notice; and
- (b) shall, as soon as practicable, give notice to the holder of the certificate of accreditation that no further action will be taken pursuant to the notice.

(2) If after considering the representations made pursuant to section 29, the Minister believes that the ground exists to revoke the certificate of accreditation, the Minister shall revoke the certificate of accreditation.

(3) If the Minister decides to revoke the certificate of accreditation, he or she shall as soon as practicable, give notice to the holder of the certificate of accreditation of his or her decision.

(4) The decision of the Minister shall be final and shall only be subject to judicial review.

PART 6

FINANCIAL AND MISCELLANEOUS PROVISIONS

31. (1) There is hereby established a fund to be known as the Accreditation Board Fund to be used by the Board as revenue for the execution of its functions and discharge of its obligations pursuant to this Act.

Fund for use by Board

(2) The Fund shall consist of —

- (a) sums received by the Board in respect of application fees and other charges imposed by the Board pursuant to the provisions of this Act;
- (b) sums allocated to the Board by Parliament;
- (c) revenue raised by the Board in the form of loans, grants, investments or other means; and
- (d) all other sums that may become payable to or vested in the Board in respect of matters incidental to its powers and duties.

(3) The Board may establish a Reserve Fund into which may be paid any surplus funds of the Board.

(4) The Board may withdraw any funds from the Reserve Fund in cases of a shortfall for purpose of exercising its functions or discharging its duties pursuant to this Act.

32. The financial year of the Board shall begin on 1st January and shall end on 31st December in each year.

Financial year of Board

33. The Board shall not later than October 31st in each year cause to be prepared and shall adopt and submit to the Minister-

Budget and plan of action of Board

(a) a budget with the estimates of its income and expenditure; and

(b) a plan of action;

for the Board in respect of the next financial year.

34. The Board shall keep proper records of accounts in accordance with generally accepted international standards and principles and shall prepare and retain financial statements in respect of each financial year.

Accounts

35.(1) The Board shall as soon as is practicable after each financial year have its accounts audited annually by an independent auditor appointed by the Board, who shall conduct the audit in accordance with generally accepted international accounting standards and principles.

Audit

(2) The Board, the Executive Director, and other officers and employees of the Board shall grant to the auditor appointed pursuant to subsection (1) access to all books, deeds, contracts, accounts, vouchers, or other documents which the auditor may deem necessary and the auditor may require the person holding or accountable for such document to appear, make a signed statement or provide such information in relation to the document as the auditor deems necessary.

(3) A person required to appear, make a signed statement or to provide information under subsection (2) and who fails to comply, commits an offence and upon summary conviction is liable to a fine not exceeding three thousand dollars and to revocation of his or her appointment as a member of the Board or a staff member of the Board in accordance with this Act.

36. An independent auditor appointed pursuant to section 35 shall as soon as practicable and not later than two months after the end of each financial year submit copies of the audited financial statement of the Board and a report on the financial statement to the Board.

Auditor's report

37. (1) Subject to subsection (2) and not later than three months after the end of each financial year the Board shall submit to the Minister an annual report on the work and activities of the Board for that financial year and the Minister shall not later than one month later lay the same in Parliament.

Annual report

(2) An annual report pursuant to subsection (1) shall be accompanied by the auditor's report pursuant to section 36.

(3) A summary of an annual report pursuant to subsection (1) shall be published in the *Gazette* and at least two local newspapers in general circulation in Antigua and Barbuda and the entire annual report shall be available to the public on payment of the prescribed fee to the Board.

Regulations

38. The Minister may make Regulations for giving effect to any of the provisions of this Act.

Regulations

SCHEDULE

Section 9 (3)

OATH (OR AFFIRMATION) OF SECRECY

I (A.B.) solemnly and sincerely swear (or affirm and declare) that I will faithfully and honestly fulfil the duties that devolve open me by reason of the Accreditation Act and that I will not, without due authority in that behalf, in any manner whatsoever publish or communicate any facts or information being facts or information with regard to any matter coming to my knowledge in the performance of my duties pursuant to the provisions of the aforementioned Act.

So help me God! (to be omitted in affirmation.)

Passed by the House of Representatives
this day of 2006.
2006.

Passed by the Senate
this day of

Speaker

President

EXPLANATORY NOTES

The Bill seeks to provide for the National Accreditation Board, to vest in that Board the power to accredit institutions and programmes of study in Antigua and Barbuda and to observe and to provide for the process and mechanism of accrediting institutions and programmes of study.

Part 1 of the Bill provides the preliminary provisions, which includes the commencement and interpretation clauses. Pursuant to this Part the Bill comes into operation on a day to be fixed by the Minister by notice published in the Gazette. In the interpretation clause the term “accredit” is defined as follows:

“The accrediting of recognition by the Board on the basis on an informed evaluation, that the programmes of study offered by an institution and any courses it offers satisfy the standards prescribed or approved by the Board.”

Part 2 of the Bill provides for the establishment and functions of the Accreditation Board. Provision is made for the composition of the Board. Clause 5 of this Part provides for the procedure with respect to meetings of the Board. Clause 11 and 12 provide for the appointment of a Secretary to the Board and member of staff of the Board. Clause 13 provides for the Seal of the Board.

By virtue of clause 14, the functions of the Board are defined and this includes inter alia:

- ❑ to consider applications submitted pursuant to the provisions of Clause 13 of the Bill;
- ❑ to accredit and re-accredit institutions operating in the Antigua and Barbuda and the programmes of study offered;
- ❑ to ensure that the quality of all higher education programmes in Antigua and Barbuda meets the standard set by the Board for any award; and
- ❑ to establish the requirements and regulations with which the institution of study must comply in order to be registered with, have their programmes of study accredited, re-accredited or validated, or have their awards recognized by the Board.

Part II of the Bill provides for the procedure for Accreditation institutions and persons. By virtue of Clause 13, a person who wishes to be accredited pursuant to the provisions of the Bill shall make an application to the Board in the prescribed form accompanied by the prescribed fee. On

receipt of the application the Board shall consider whether the applicant complies with or meets the relevant regulations and requirements established by the Board or which may be prescribed. Clause 16 provides that the Board may request further information to support an application.

Clause 17 provides for additional matters to be considered by the Board and by virtue of Clause 18, upon completion of its consideration of an application, the Board may submit a report to the Minister and to the applicant stating whether the Minister should grant or refuse an application for accreditation. Clause 19 provides for the decision to be made by the Minister.

Pursuant to Clause 20, if the Minister decides to approve the application he or she shall grant a certificate of accreditation to the applicant.

Clause 21 provides for an appeal to be lodged by a person aggrieved by a decision made by the Minister.

Clause 22 provides for the validity of registration. Clause 23 places a duty on an institution who has been issued with a certificate of accreditation to prepare and submit an operation plan to the Board.

Clause 24 provides for the duty of the Board to carry out assessments and surveillance visits. Clause 25 provides for the establishment of an Accreditation Mark.

Part III provides for the duties of Accredited Certified Institutions.

Part IV provides for the circumstances and procedures whereby a certificate of Accreditation may be revoked.

Part V provides for Financial and Miscellaneous provisions and includes by virtue of Clause 31, the power of the Minister to make Regulations.