

[AS INTRODUCED]

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Make it an offence to provide or advertise cheating services for Higher Education assessments.

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Offence to provide or advertise cheating services for Higher Education assessments

- (1) A person commits an offence if the person—
 - (a) provides any service specified in subsection (4), and
 - (b) receives (or reasonably expects to receive) a payment, financial reward or other financial benefit in connection with the provision of that service. 5
- (2) A person commits an offence if the person advertises any service specified in subsection (4).
- (3) A person commits an offence if that person, without reasonable excuse, publishes an advertisement for any service specified in subsection (4). 10
- (4) The services referred to in subsections (1) to (3) are those provided to a student enrolled at a Higher Education provider in England which consist of—
 - (a) completing (in whole or in part) on behalf of the student an assignment, examination or any other work that the student is required to complete personally as part of a Higher Education course without authorisation from the person who imposed the requirement, such that the assignment, examination or other work could not reasonably be considered that of the student, or 15
 - (b) arranging for another person to complete (in whole or in part) on behalf of the student an assignment, examination or any other work that the student is required to complete personally as part of a Higher Education course without authorisation from the person who imposed the requirement, such that the assignment, examination or other work could not reasonably be considered that of the student. 20 25
- (5) A person shall not be guilty of an offence in subsection (1), (2) or (3) if they demonstrate that they did not know and could not with reasonable diligence

know that the service might or would be used by a student enrolled on a Higher Education course to complete an assignment, examination or other work that the student is required to undertake personally as part of that course without authorisation from the person who imposed the requirement.

- (6) Where a body corporate is guilty of an offence under this section and the offence is committed with the consent or connivance of, or attributable to negligence on the part of, a director, manager, secretary or other similar officer of the body corporate, or a person who was purporting to act in any such capacity, he or she, as well as the body corporate, is guilty of that offence and liable to be proceeded against and punished accordingly. 5
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- (7) A person who commits an offence under this section is liable—
(a) on summary conviction, to a fine;
(b) on conviction on indictment, to a fine.

2 Extent, commencement and short title

- (1) This Act extends to England and Wales only. 15
(2) This Act comes into force on the day on which it is passed.
(3) This Act may be cited as the Higher Education Cheating Services Prohibition Act 2021.

Higher Education Cheating Services Prohibition Bill [HL]

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Make it an offence to provide or advertise cheating services for Higher Education assessments.

Lord Storey

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