



# Apprenticeships, Skills, Children and Learning Act 2009

## 2009 CHAPTER 22

### PART 4

[<sup>F1</sup>APPRENTICESHIPS AND ADULT EDUCATION  
AND TRAINING: ROLE OF SECRETARY OF STATE]

### CHAPTER 2

[<sup>F1</sup>PROVISION OF SERVICES TO OTHER BODIES]

#### Textual Amendments

- F1** Pt. 4 Ch. 2 title substituted (26.5.2015) by [Deregulation Act 2015 \(c. 20\)](#), s. 115(3)(g), [Sch. 14 para. 31\(c\)](#)

#### *Funding*

#### **100 Provision of financial resources**

- (1) The [<sup>F2</sup>Secretary of State] may secure the provision of financial resources [<sup>F3</sup>under this subsection] to—
- (a) persons providing or proposing to provide education or training within the [<sup>F4</sup>Secretary of State's remit under this Part];
  - (b) persons providing or proposing to provide goods or services in connection with the provision by others of such education or training;
  - (c) persons receiving or proposing to receive such education or training;
  - (d) persons aged 18 receiving or proposing to receive education or training;

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- (e) persons making loans to others receiving or proposing to receive education or training;
- <sup>F5</sup>(f) .....
- (g) persons undertaking or proposing to undertake research relating to education or training;
- (h) persons carrying out means tests under arrangements made under section 103;
- <sup>F6</sup>(i) .....
- (j) persons providing or proposing to provide information, advice or guidance about education or training or connected matters (including employment).

<sup>F7</sup>(1A) The Secretary of State may secure the provision of financial resources to any person under this subsection (whether or not the resources could be secured under subsection (1))—

- (a) for the purpose of encouraging the provision of opportunities for individuals to complete <sup>F8</sup>English statutory apprenticeships] or to undertake work following the completion of such apprenticeships, or
- (b) otherwise in connection with <sup>F8</sup>English statutory apprenticeships].]

<sup>F9</sup>(1AA) The Secretary of State may secure the provision of financial resources under this subsection (whether or not the resources could be secured under subsection (1)) to any of the persons mentioned in subsection (1) in respect of functions under this Part that are exercisable by a combined authority by virtue of an order made under section 105A of the Local Democracy, Economic Development and Construction Act 2009.]

<sup>F10</sup>(1AB) The Secretary of State may secure the provision of financial resources under this subsection (whether or not the resources could be secured under subsection (1)) to any of the persons mentioned in subsection (1) in respect of functions under this Part that are exercisable by a combined county authority by virtue of regulations made under section 19(1) of the Levelling-up and Regeneration Act 2023.]

<sup>F11</sup>(1B) The Secretary of State may secure the provision of financial resources to any person under this subsection (whether or not the resources could be secured under subsection (1)) in connection with approved technical education qualifications or approved steps towards occupational competence.]

<sup>F12</sup>(2) .....

(3) <sup>F13</sup>The Secretary of State may secure the provision of financial resources under this section—]

- (a) by providing the resources;
- (b) by making arrangements for the provision of resources by another person;
- (c) by making arrangements for the provision of resources by persons jointly (whether or not including the <sup>F14</sup>Secretary of State)].

(4) <sup>F15</sup>The Secretary of State may secure the provision of financial resources under this section by reference to—]

- (a) any fees or charges payable by the person receiving or proposing to receive the education or training, or
- (b) any other matter (such as transport or childcare).

(5) In <sup>F16</sup>this section—

“approved steps towards occupational competence” has the meaning given by section <sup>F17</sup>A2D4];

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“approved technical education qualification” has the meaning given by section <sup>F18</sup>A12(1);]

<sup>F19</sup>“combined authority” means a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009;]

<sup>F20</sup>“combined county authority” means a combined county authority established under section 9(1) of the Levelling-up and Regeneration Act 2023;]

“English statutory apprenticeship” has the same meaning as in section 40A (see subsection (3) of that section).

### Textual Amendments

- F2** Words in s. 100(1) substituted (26.5.2015) by Deregulation Act 2015 (c. 20), s. 115(3)(g), **Sch. 14 para. 13(2)(a)**
- F3** Words in s. 100(1) inserted (26.3.2015 for specified purposes, 26.5.2015 in so far as not already in force) by Deregulation Act 2015 (c. 20), s. 115(2)(e), **Sch. 1 para. 2(2)**; S.I. 2015/994, art. 6(a) (with Sch. Pt. 2)
- F4** Words in s. 100(1)(a) substituted (26.5.2015) by Deregulation Act 2015 (c. 20), s. 115(3)(g), **Sch. 14 para. 13(2)(b)**
- F5** S. 100(1)(f) omitted (26.5.2015) by virtue of Deregulation Act 2015 (c. 20), s. 115(3)(g), **Sch. 14 para. 13(2)(c)**
- F6** S. 100(1)(i) omitted (1.9.2012) by virtue of Education Act 2011 (c. 21), s. 82(3), **Sch. 18 para. 9**; S.I. 2012/1087, art. 3
- F7** S. 100(1A) inserted (26.3.2015 for specified purposes, 26.5.2015 in so far as not already in force) by Deregulation Act 2015 (c. 20), s. 115(2)(e), **Sch. 1 para. 2(3)**; S.I. 2015/994, art. 6(a) (with Sch. Pt. 2)
- F8** Words in s. 100(1A) substituted (4.7.2016) by Enterprise Act 2016 (c. 12), **ss. 27(a)**, 44(5); S.I. 2016/695, art. 2(b)
- F9** S. 100(1AA) inserted (6.11.2018) by The Greater Manchester Combined Authority (Adult Education Functions) Order 2018 (S.I. 2018/1141), arts. 1(1), **7(2)**
- F10** S. 100(1AB) inserted (26.12.2023) by Levelling-up and Regeneration Act 2023 (c. 55), s. 255(2)(c), **Sch. 4 para. 195(2)** (with s. 247)
- F11** S. 100(1B) inserted (31.1.2019) by Technical and Further Education Act 2017 (c. 19), s. 47(2), **Sch. 1 para. 29(2)**; S.I. 2019/61, reg. 2(b)
- F12** S. 100(2) omitted (26.5.2015) by virtue of Deregulation Act 2015 (c. 20), s. 115(3)(g), **Sch. 14 para. 13(3)**
- F13** Words in s. 100(3) substituted (6.11.2018) by The Greater Manchester Combined Authority (Adult Education Functions) Order 2018 (S.I. 2018/1141), arts. 1(1), **7(3)**
- F14** Words in s. 100(3)(c) substituted (26.5.2015) by Deregulation Act 2015 (c. 20), s. 115(3)(g), **Sch. 14 para. 13(4)(b)**
- F15** Words in s. 100(4) substituted (6.11.2018) by The Greater Manchester Combined Authority (Adult Education Functions) Order 2018 (S.I. 2018/1141), arts. 1(1), **7(4)**
- F16** Words in s. 100(5) substituted (31.1.2019) by Technical and Further Education Act 2017 (c. 19), s. 47(2), **Sch. 1 para. 29(4)**; S.I. 2019/61, reg. 2(b)
- F17** Word in s. 100(5) substituted (30.9.2022) by Skills and Post-16 Education Act 2022 (c. 21), **ss. 13(6)**, 36(3); S.I. 2022/965, reg. 3(8) (with regs. 4, 5)
- F18** Word in s. 100(5) substituted (30.9.2022) by Skills and Post-16 Education Act 2022 (c. 21), **ss. 12(6)**, 36(3); S.I. 2022/965, reg. 3(7) (with regs. 4, 5)
- F19** Words in s. 100(5) inserted (6.11.2018) by The Greater Manchester Combined Authority (Adult Education Functions) Order 2018 (S.I. 2018/1141), arts. 1(1), **7(5)**
- F20** Words in s. 100(5) inserted (26.12.2023) by Levelling-up and Regeneration Act 2023 (c. 55), s. 255(2)(c), **Sch. 4 para. 195(3)** (with s. 247)

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#### **Modifications etc. (not altering text)**

- C1** S. 100 applied (with modifications) (6.11.2018) by [The Liverpool City Region Combined Authority \(Adult Education Functions\) Order 2018 \(S.I. 2018/1142\)](#), arts. 1(1), 6, **Sch.** (with art. 1(2))
- C2** S. 100 applied (with modifications) (6.11.2018) by [The Tees Valley Combined Authority \(Adult Education Functions\) Order 2018 \(S.I. 2018/1145\)](#), arts. 1(1), 6, **Sch.** (with art. 1(2))
- C3** S. 100 applied (with modifications) (6.11.2018) by [The Greater Manchester Combined Authority \(Adult Education Functions\) Order 2018 \(S.I. 2018/1141\)](#), arts. 1(1), 6, **Sch.** (with art. 1(2))
- C4** S. 100 applied (with modifications) (6.11.2018) by [The West of England Combined Authority \(Adult Education Functions\) Order 2018 \(S.I. 2018/1143\)](#), arts. 1(1), 6, **Sch.** (with art. 1(2))
- C5** S. 100 applied (with modifications) (6.11.2018) by [The Cambridgeshire and Peterborough Combined Authority \(Adult Education Functions\) Order 2018 \(S.I. 2018/1146\)](#), arts. 1(1), 6, **Sch.** (with art. 1(2))
- C6** S. 100 applied (with modifications) (6.11.2018) by [The West Midlands Combined Authority \(Adult Education Functions\) Order 2018 \(S.I. 2018/1144\)](#), arts. 1(1), 6, **Sch.** (with art. 1(2))
- C7** S. 100 applied (with modifications) (5.11.2019) by [The Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority \(Adult Education Functions\) Order 2019 \(S.I. 2019/1457\)](#), arts. 1(1), 6, **Sch.** (with art. 1(2))
- C8** S. 100 applied (with modifications) (28.7.2020) by [The Barnsley, Doncaster, Rotherham and Sheffield Combined Authority \(Functions and Amendment\) Order 2020 \(S.I. 2020/806\)](#), arts. 1, 9, **Sch. 1**
- C9** S. 100 applied (with modifications) (E.) (30.1.2021) by [The West Yorkshire Combined Authority \(Election of Mayor and Functions\) Order 2021 \(S.I. 2021/112\)](#), arts. 1(2), 9, **Sch. 1**
- C10** S. 100(1) functions made exercisable concurrently (6.11.2018) by [The West of England Combined Authority \(Adult Education Functions\) Order 2018 \(S.I. 2018/1143\)](#), arts. 1(1), 4 (with arts. 1(2), 5)
- C11** S. 100(1) functions made exercisable concurrently (6.11.2018) by [The Greater Manchester Combined Authority \(Adult Education Functions\) Order 2018 \(S.I. 2018/1141\)](#), arts. 1(1), 4 (with arts. 1(2), 5)
- C12** S. 100(1) functions made exercisable concurrently (6.11.2018) by [The West Midlands Combined Authority \(Adult Education Functions\) Order 2018 \(S.I. 2018/1144\)](#), arts. 1(1), 4 (with arts. 1(2), 5)
- C13** S. 100(1) functions made exercisable concurrently (6.11.2018) by [The Tees Valley Combined Authority \(Adult Education Functions\) Order 2018 \(S.I. 2018/1145\)](#), arts. 1(1), 4 (with arts. 1(2), 5)
- C14** S. 100(1) functions made exercisable concurrently (6.11.2018) by [The Cambridgeshire and Peterborough Combined Authority \(Adult Education Functions\) Order 2018 \(S.I. 2018/1146\)](#), arts. 1(1), 4 (with arts. 1(2), 5)
- C15** S. 100(1) functions made exercisable concurrently (6.11.2018) by [The Liverpool City Region Combined Authority \(Adult Education Functions\) Order 2018 \(S.I. 2018/1142\)](#), arts. 1(1), 4 (with arts. 1(2), 5)
- C16** S. 100(1) functions made exercisable concurrently (5.11.2019) by [The Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority \(Adult Education Functions\) Order 2019 \(S.I. 2019/1457\)](#), arts. 1(1), 4 (with arts. 1(2), 5)
- C17** S. 100(1): functions made exercisable concurrently (E.) (with application in accordance with art. 1(5)(6) of the amending S.I.) by [The West Yorkshire Combined Authority \(Election of Mayor and Functions\) Order 2021 \(S.I. 2021/112\)](#), arts. 1(2), **7(1)(b)(2)(3)** (with art. 8)

#### **Commencement Information**

- I1** S. 100 in force at 1.4.2010 by [S.I. 2010/303](#), art. 3, **Sch. 2** (with arts. 9-11)

## **101 Financial resources: conditions**

- (1) Financial resources provided [<sup>F21</sup>by the Secretary of State under section 100] may be provided subject to conditions [<sup>F22</sup>, subject to section 101A].
- (2) The conditions may [<sup>F23</sup>(among other things)] include—
- (a) information conditions;

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- F24(b) .....
- (c) repayment conditions.

(3) Information conditions are conditions which—

- (a) require the [F25Secretary of State], or a person designated by the [F25Secretary of State], to be given access to a person's accounts and documents and to be given rights in relation to a person's computers and associated apparatus and material, or
- (b) require a person to whom financial resources are provided to give to the [F26Secretary of State] such information as the [F26Secretary of State] may request for the purpose of carrying out [F27functions under this Part].

F28(4) .....

F29(5) .....

(6) Repayment conditions are conditions which—

- (a) enable the [F30Secretary of State] to require the repayment (in whole or part) of sums paid by the [F30Secretary of State] if any of the conditions subject to which the sums were paid is not complied with;
- (b) require the payment of interest in respect of any period in which a sum due to the [F31Secretary of State] in accordance with any condition is unpaid.

**Textual Amendments**

- F21 Words in s. 101(1) substituted (26.5.2015) by [Deregulation Act 2015 \(c. 20\)](#), s. 115(3)(g), [Sch. 14 para. 14\(2\)](#)
- F22 Words in s. 101(1) inserted (29.6.2021) by [Education and Training \(Welfare of Children\) Act 2021 \(c. 16\)](#), [ss. 2\(2\)](#), 3(2)
- F23 Words in s. 101(2) inserted (26.3.2015 for specified purposes, 26.5.2015 in so far as not already in force) by [Deregulation Act 2015 \(c. 20\)](#), s. 115(2)(e), [Sch. 1 para. 3\(2\)\(a\)](#); S.I. 2015/994, art. 6(a) (with [Sch. Pt. 2](#))
- F24 S. 101(2)(b) omitted (26.3.2015 for specified purposes, 26.5.2015 in so far as not already in force) by virtue of [Deregulation Act 2015 \(c. 20\)](#), s. 115(2)(e), [Sch. 1 para. 3\(2\)\(b\)](#); S.I. 2015/994, art. 6(a) (with [Sch. Pt. 2](#))
- F25 Words in s. 101(3)(a) substituted (26.5.2015) by [Deregulation Act 2015 \(c. 20\)](#), s. 115(3)(g), [Sch. 14 para. 14\(3\)\(a\)](#)
- F26 Words in s. 101(3)(b) substituted (26.5.2015) by [Deregulation Act 2015 \(c. 20\)](#), s. 115(3)(g), [Sch. 14 para. 14\(3\)\(b\)\(i\)](#)
- F27 Words in s. 101(3)(b) substituted (26.5.2015) by [Deregulation Act 2015 \(c. 20\)](#), s. 115(3)(g), [Sch. 14 para. 14\(3\)\(b\)\(ii\)](#)
- F28 S. 101(4) omitted (26.3.2015 for specified purposes, 26.5.2015 in so far as not already in force) by virtue of [Deregulation Act 2015 \(c. 20\)](#), s. 115(2)(e), [Sch. 1 para. 3\(3\)](#); S.I. 2015/994, art. 6(a) (with [Sch. Pt. 2](#))
- F29 S. 101(5) omitted (26.3.2015 for specified purposes, 26.5.2015 in so far as not already in force) by virtue of [Deregulation Act 2015 \(c. 20\)](#), s. 115(2)(e), [Sch. 1 para. 3\(3\)](#); S.I. 2015/994, art. 6(a) (with [Sch. Pt. 2](#))
- F30 Words in s. 101(6)(a) substituted (26.5.2015) by [Deregulation Act 2015 \(c. 20\)](#), s. 115(3)(g), [Sch. 14 para. 14\(4\)\(a\)](#)
- F31 Words in s. 101(6)(b) substituted (26.5.2015) by [Deregulation Act 2015 \(c. 20\)](#), s. 115(3)(g), [Sch. 14 para. 14\(4\)\(b\)](#)

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#### **Modifications etc. (not altering text)**

- C18** S. 101 applied (with modifications) (6.11.2018) by [The Greater Manchester Combined Authority \(Adult Education Functions\) Order 2018 \(S.I. 2018/1141\)](#), arts. 1(1), 6, **Sch.** (with art. 1(2))
- C19** S. 101 applied (with modifications) (6.11.2018) by [The Cambridgeshire and Peterborough Combined Authority \(Adult Education Functions\) Order 2018 \(S.I. 2018/1146\)](#), arts. 1(1), 6, **Sch.** (with art. 1(2))
- C20** S. 101 applied (with modifications) (6.11.2018) by [The Liverpool City Region Combined Authority \(Adult Education Functions\) Order 2018 \(S.I. 2018/1142\)](#), arts. 1(1), 6, **Sch.** (with art. 1(2))
- C21** S. 101 applied (with modifications) (6.11.2018) by [The West Midlands Combined Authority \(Adult Education Functions\) Order 2018 \(S.I. 2018/1144\)](#), arts. 1(1), 6, **Sch.** (with art. 1(2))
- C22** S. 101 applied (with modifications) (6.11.2018) by [The West of England Combined Authority \(Adult Education Functions\) Order 2018 \(S.I. 2018/1143\)](#), arts. 1(1), 6, **Sch.** (with art. 1(2))
- C23** S. 101 applied (with modifications) (6.11.2018) by [The Tees Valley Combined Authority \(Adult Education Functions\) Order 2018 \(S.I. 2018/1145\)](#), arts. 1(1), 6, **Sch.** (with art. 1(2))
- C24** S. 101 applied (with modifications) (5.11.2019) by [The Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority \(Adult Education Functions\) Order 2019 \(S.I. 2019/1457\)](#), arts. 1(1), 6, **Sch.** (with art. 1(2))
- C25** S. 101 applied (with modifications) (28.7.2020) by [The Barnsley, Doncaster, Rotherham and Sheffield Combined Authority \(Functions and Amendment\) Order 2020 \(S.I. 2020/806\)](#), arts. 1, 9, **Sch. 1**
- C26** S. 101 functions made exercisable concurrently (28.7.2020) by [The Barnsley, Doncaster, Rotherham and Sheffield Combined Authority \(Functions and Amendment\) Order 2020 \(S.I. 2020/806\)](#), arts. 1, **7(1)(b)(2)(3)** (with art. 8)
- C27** S. 101 applied (with modifications) (E.) (30.1.2021) by [The West Yorkshire Combined Authority \(Election of Mayor and Functions\) Order 2021 \(S.I. 2021/112\)](#), arts. 1(2), 9, **Sch. 1**

#### **Commencement Information**

- I2** S. 101 in force at 1.4.2010 by [S.I. 2010/303](#), art. 3, **Sch. 2** (with arts. 9-11)

#### **[<sup>F32</sup>101A Financial resources: welfare**

- (1) The Secretary of State may not provide financial resources to a person under—
- (a) section 100(1A) for the provision of training as part of a relevant English statutory apprenticeship, or
  - (b) section 100(1B) for the provision of education or training as part of an approved technical education qualification or approved step towards occupational competence,
- unless the resources are provided subject to conditions requiring the person to comply with the safeguarding duties.
- (2) “The safeguarding duties” are—
- (a) a duty to make arrangements to safeguard and promote the welfare of children receiving the education or training mentioned in subsection (1)(a) or (b) (as the case may be), and
  - (b) a duty to have regard to any guidance given from time to time by the Secretary of State in considering what arrangements are required.
- (3) In this section, a “relevant English statutory apprenticeship” means an apprenticeship falling within section 40A(3)(a) to (c).]



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### Textual Amendments

- F32** S. 101A inserted (29.6.2021) by [Education and Training \(Welfare of Children\) Act 2021 \(c. 16\)](#), [ss. 2\(3\)](#), [3\(2\)](#)

## 102 Performance assessments

- (1) The [<sup>F33</sup>Secretary of State] may adopt or develop schemes for the assessment of the performance of persons in providing education or training within the [<sup>F34</sup>Secretary of State's remit under this Part] .
- (2) The [<sup>F35</sup>Secretary of State] may take the assessments into account in deciding how to exercise the powers under section 100.

### Textual Amendments

- F33** Words in s. 102(1) substituted (26.5.2015) by [Deregulation Act 2015 \(c. 20\)](#), s. 115(3)(g), [Sch. 14 para. 15\(2\)\(a\)](#)
- F34** Words in s. 102(1) substituted (26.5.2015) by [Deregulation Act 2015 \(c. 20\)](#), s. 115(3)(g), [Sch. 14 para. 15\(2\)\(b\)](#)
- F35** Words in s. 102(2) substituted (26.5.2015) by [Deregulation Act 2015 \(c. 20\)](#), s. 115(3)(g), [Sch. 14 para. 15\(3\)](#)

### Commencement Information

- I3** S. 102 in force at 1.4.2010 by [S.I. 2010/303](#), [art. 3](#), [Sch. 2](#) (with arts. 9-11)

## 103 Means tests

- (1) [<sup>F36</sup>For the purpose of the exercise of the powers under section 100(1)(c), (d) or (e), the Secretary of State] may—
- (a) carry out means tests;
  - (b) arrange for other persons to carry out means tests.

<sup>F37</sup>(2) .....

### Textual Amendments

- F36** Words in s. 103(1) substituted (26.5.2015) by [Deregulation Act 2015 \(c. 20\)](#), s. 115(3)(g), [Sch. 14 para. 16\(2\)](#)
- F37** S. 103(2) omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), s. 115(3)(g), [Sch. 14 para. 16\(3\)](#)

### Modifications etc. (not altering text)

- C28** S. 103 applied (with modifications) (6.11.2018) by [The Greater Manchester Combined Authority \(Adult Education Functions\) Order 2018 \(S.I. 2018/1141\)](#), arts. 1(1), 6, [Sch.](#) (with art. 1(2))
- C29** S. 103 applied (with modifications) (6.11.2018) by [The Liverpool City Region Combined Authority \(Adult Education Functions\) Order 2018 \(S.I. 2018/1142\)](#), arts. 1(1), 6, [Sch.](#) (with art. 1(2))
- C30** S. 103 applied (with modifications) (6.11.2018) by [The West of England Combined Authority \(Adult Education Functions\) Order 2018 \(S.I. 2018/1143\)](#), arts. 1(1), 6, [Sch.](#) (with art. 1(2))

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- C31** S. 103 applied (with modifications) (6.11.2018) by [The West Midlands Combined Authority \(Adult Education Functions\) Order 2018 \(S.I. 2018/1144\)](#), arts. 1(1), 6, **Sch.** (with art. 1(2))
- C32** S. 103 applied (with modifications) (6.11.2018) by [The Cambridgeshire and Peterborough Combined Authority \(Adult Education Functions\) Order 2018 \(S.I. 2018/1146\)](#), arts. 1(1), 6, **Sch.** (with art. 1(2))
- C33** S. 103 applied (with modifications) (6.11.2018) by [The Tees Valley Combined Authority \(Adult Education Functions\) Order 2018 \(S.I. 2018/1145\)](#), arts. 1(1), 6, **Sch.** (with art. 1(2))
- C34** S. 103 applied (with modifications) (5.11.2019) by [The Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority \(Adult Education Functions\) Order 2019 \(S.I. 2019/1457\)](#), arts. 1(1), 6, **Sch.** (with art. 1(2))
- C35** S. 103 applied (with modifications) (28.7.2020) by [The Barnsley, Doncaster, Rotherham and Sheffield Combined Authority \(Functions and Amendment\) Order 2020 \(S.I. 2020/806\)](#), arts. 1, 9, **Sch. 1**
- C36** S. 103 applied (with modifications) (E.) (30.1.2021) by [The West Yorkshire Combined Authority \(Election of Mayor and Functions\) Order 2021 \(S.I. 2021/112\)](#), arts. 1(2), 9, **Sch. 1**

#### Commencement Information

- I4** S. 103 in force at 1.4.2010 by [S.I. 2010/303](#), art. 3, **Sch. 2** (with arts. 9-11)

### *Apprenticeships: general*

#### <sup>F38</sup>**104 Assistance and support in relation to apprenticeship places**

.....

##### Textual Amendments

- F38** S. 104 repealed (1.9.2012) by [Education Act 2011 \(c. 21\)](#), s. 82(3), **Sch. 18 para. 10**; [S.I. 2012/1087](#), art. 3

#### <sup>F39</sup>**105 Promoting progression from level 2 to level 3 apprenticeships**

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##### Textual Amendments

- F39** S. 105 omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), s. 115(7), **Sch. 1 para. 21**; [S.I. 2015/994](#), art. 6(a) (with Sch. Pt. 2)

##### Commencement Information

- I5** S. 105 in force at 6.4.2011 by [S.I. 2011/200](#), **art. 3**

#### <sup>F40</sup>**106 Advice and assistance in relation to apprenticeships**

.....

##### Textual Amendments

- F40** S. 106 omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), s. 115(3)(g), **Sch. 14 para. 18**



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### *Provision of services and assistance*

#### **107 Provision of services**

- (1) The [<sup>F41</sup>Secretary of State] may make arrangements with a permitted recipient for the provision by the [<sup>F41</sup>Secretary of State] of services that are required by the permitted recipient in connection with the exercise of the recipient's functions relating to education or training.
- (2) The services that may be provided under arrangements made under subsection (1) include—
  - (a) providing accommodation and other facilities to a permitted recipient or managing such facilities on behalf of a permitted recipient;
  - (b) procuring, or assisting in procuring, goods and services for use by a permitted recipient.
- (3) The terms and conditions upon which the arrangements are made may include provision for making payments to the [<sup>F42</sup>Secretary of State] in respect of expenditure incurred by the [<sup>F42</sup>Secretary of State] in performing any function under the arrangements.
- (4) In this section “permitted recipient” means—
  - <sup>F43</sup>(a) .....
  - (b) the Welsh Ministers;
  - (c) the Scottish Ministers;
  - (d) a Northern Ireland department;
  - <sup>F44</sup>(e) .....
  - (f) a person, wholly or partly funded from public funds, who has functions relating to education or training;
  - (g) any other person specified, or of a description specified, by order made by the appropriate national authority for the purposes of this section.
- <sup>F45</sup>(5) .....
- (6) Before making arrangements under which it may provide services to a permitted recipient who falls within paragraph (a), (e), (f) or (g) of subsection (4) in connection with the exercise of the recipient's functions relating to education or training provided in Wales, Scotland or Northern Ireland, the [<sup>F46</sup>Secretary of State] must obtain—
  - (a) in relation to education or training provided in Wales, the consent of the Welsh Ministers;
  - (b) in relation to education or training provided in Scotland, the consent of the Scottish Ministers;
  - (c) in relation to education or training provided in Northern Ireland, the consent of the Minister for Employment and Learning in Northern Ireland.
- (7) Consent may be given under subsection (5) or (6) in relation to particular arrangements or arrangements of a particular description.
- (8) “The appropriate national authority” means—
  - (a) in relation to a person exercising functions relating only to education or training provided in Wales, the Welsh Ministers;
  - (b) in relation to a person exercising functions relating only to education or training provided in Scotland, the Scottish Ministers;

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*Changes to legislation: Apprenticeships, Skills, Children and Learning Act 2009, Chapter 2 is up to date with all changes known to be in force on or before 03 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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- (c) in relation to a person exercising functions relating only to education or training provided in Northern Ireland, the Department for Employment and Learning in Northern Ireland;
- (d) in any other case, the Secretary of State.

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**Textual Amendments**

- F41** Words in s. 107(1) substituted (26.5.2015) by [Deregulation Act 2015 \(c. 20\), s. 115\(3\)\(g\), Sch. 14 para. 19\(2\)](#)
- F42** Words in s. 107(3) substituted (26.5.2015) by [Deregulation Act 2015 \(c. 20\), s. 115\(3\)\(g\), Sch. 14 para. 19\(2\)](#)
- F43** S. 107(4)(a) omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\), s. 115\(3\)\(g\), Sch. 14 para. 19\(3\)](#)
- F44** S. 107(4)(e) omitted (1.4.2012) by virtue of [Education Act 2011 \(c. 21\), s. 82\(3\), Sch. 16 para. 47; S.I. 2012/924, art. 2](#)
- F45** S. 107(5) omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\), s. 115\(3\)\(g\), Sch. 14 para. 19\(4\)](#)
- F46** Words in s. 107(6) substituted (26.5.2015) by [Deregulation Act 2015 \(c. 20\), s. 115\(3\)\(g\), Sch. 14 para. 19\(5\)](#)

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**Commencement Information**

- I6** S. 107 in force at 1.4.2010 by [S.I. 2010/303, art. 3, Sch. 2](#) (with arts. 9-11)

**<sup>F47</sup>108 Assistance with respect to employment and training**

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**Textual Amendments**

- F47** S. 108 omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\), s. 115\(3\)\(g\), Sch. 14 para. 20](#)

**<sup>F48</sup>109 Assistance with respect to employment and training: Northern Ireland**

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**Textual Amendments**

- F48** S. 109 omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\), s. 115\(3\)\(g\), Sch. 14 para. 20](#)

*F49* ...

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**Textual Amendments**

- F49** S. 110 and preceding crossheading omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\), s. 115\(3\)\(g\), Sch. 14 para. 21](#)

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**Changes to legislation:** Apprenticeships, Skills, Children and Learning Act 2009, Chapter 2 is up to date with all changes known to be in force on or before 03 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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**F<sup>49</sup> 110 Research, information and advice**

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**F<sup>50</sup> 111 Power to confer supplementary functions on Chief Executive**

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**Textual Amendments**

**F50** S. 111 omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), s. 115(3)(g), [Sch. 14 para. 22](#)

**Changes to legislation:**

Apprenticeships, Skills, Children and Learning Act 2009, Chapter 2 is up to date with all changes known to be in force on or before 03 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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**Commencement Orders yet to be applied to the Apprenticeships, Skills, Children and Learning Act 2009**

Commencement Orders bringing provisions within this Act into force:

- [S.I. 2009/3341 art. 2](#) commences (2009 c. 22)
- [S.I. 2010/2413 art. 2](#) commences (2009 c. 22)
- [S.I. 2011/829 art. 2](#) commences (2009 c. 22)
- [S.I. 2011/882 art. 2](#) amendment to earlier commencing SI 2010/303 art. 7 Sch. 6