

SCHEDULES

SCHEDULE 14

ABOLITION OF OFFICE OF THE CHIEF EXECUTIVE OF SKILLS FUNDING

PART 1

MAIN AMENDMENTS

- 1 Part 4 of the Apprenticeships, Skills, Children and Learning Act 2009 (the Chief Executive of Skills Funding) is amended as follows.
- 2 Omit section 81 (the Chief Executive of Skills Funding) and the italic cross-heading before it.
- 3 Omit section 82 (apprenticeship functions) and the italic cross-heading before it.
- 4 In section 83 (apprenticeship training for certain young persons), in each of subsections (1) to (3), for “Chief Executive” substitute “Secretary of State”.
- 5 (1) Section 83A (the apprenticeship offer) is amended as follows.
 - (2) In each of subsections (1) and (9), for “Chief Executive” substitute “Secretary of State”.
 - (3) Omit subsection (10).
- 6 In section 83B (limit on scope of the apprenticeship offer), in each of subsections (1) and (5), for “Chief Executive” substitute “Secretary of State”.
- 7 Omit section 84 (arrangements and co-operation with local authorities).
- 8 Omit section 85 (provision of apprenticeship training etc for persons within section 83 or 83A).
- 9 (1) Section 86 (education and training for persons aged 19 or over and others subject to adult detention) is amended as follows.
 - (2) In subsection (1), for the words from “The” to “facilities” substitute “The Secretary of State must secure the provision of such facilities as the Secretary of State considers appropriate”.
 - (3) Omit subsections (3), (4) and (8).
- 10 (1) Section 87 (learning aims for persons aged 19 or over: provision of facilities) is amended as follows.
 - (2) In subsection (1), for the words from “The” to “facilities” substitute “The Secretary of State must secure the provision of such facilities as the Secretary of State considers appropriate”.
 - (3) In subsection (3)(b), for “Chief Executive” substitute “Secretary of State”.

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- (4) Omit subsections (4) and (5).
- 11 In section 88 (learning aims for persons aged 19 or over: payment of tuition fees), in each of subsections (1), (2), (2A), (3), (4) and (6)(a), for “Chief Executive” substitute “Secretary of State”.
- 12 In section 90 (encouragement of education and training for certain persons), in subsection (1)—
- (a) for “Chief Executive” substitute “Secretary of State”;
 - (b) for “Chief Executive’s remit” (in each place where it occurs) substitute “Secretary of State’s remit under this Part”.
- 13 (1) Section 100 (provision of financial resources) is amended as follows.
- (2) In subsection (1)—
- (a) in the opening words, for “Chief Executive” substitute “Secretary of State”;
 - (b) in paragraph (a), for “Chief Executive’s remit” substitute “Secretary of State’s remit under this Part”;
 - (c) omit paragraph (f).
- (3) Omit subsection (2).
- (4) In subsection (3)—
- (a) in the opening words, for “Chief Executive” substitute “Secretary of State”;
 - (b) in paragraph (c), for “Chief Executive” substitute “Secretary of State”.
- (5) In subsection (4), for “Chief Executive” substitute “Secretary of State”.
- 14 (1) Section 101 (financial resources: conditions) is amended as follows.
- (2) In subsection (1), for “by the Chief Executive” substitute “by the Secretary of State under section 100”.
- (3) In subsection (3)—
- (a) in paragraph (a), for “Chief Executive” (in each place where it occurs) substitute “Secretary of State”;
 - (b) in paragraph (b)—
 - (i) for “Chief Executive” (in each place where it occurs) substitute “Secretary of State”;
 - (ii) for “the functions of the office” substitute “functions under this Part”.
- (4) In subsection (6)—
- (a) in paragraph (a), for “Chief Executive” (in each place where it occurs) substitute “Secretary of State”;
 - (b) in paragraph (b), for “Chief Executive” substitute “Secretary of State”.
- 15 (1) Section 102 (performance assessments) is amended as follows.
- (2) In subsection (1)—
- (a) for “Chief Executive” substitute “Secretary of State”;
 - (b) for “Chief Executive’s remit” substitute “Secretary of State’s remit under this Part”.
- (3) In subsection (2), for “Chief Executive” substitute “Secretary of State”.

- 16 (1) Section 103 (means tests) is amended as follows.
- (2) In subsection (1), for “The Chief Executive” substitute “For the purpose of the exercise of the powers under section 100(1)(c), (d) or (e), the Secretary of State”.
- (3) Omit subsection (2).
- 17 In section 105 (promoting progression from level 2 to level 3 apprenticeships), in each of subsections (1) and (6), for “Chief Executive” substitute “Secretary of State”.
- 18 Omit section 106 (advice and assistance in relation to apprenticeships).
- 19 (1) Section 107 (provision of services) is amended as follows.
- (2) In each of subsections (1) and (3) for “Chief Executive” (in each place where it occurs) substitute “Secretary of State”.
- (3) In subsection (4), omit paragraph (a).
- (4) Omit subsection (5).
- (5) In subsection (6), for “Chief Executive” substitute “Secretary of State”.
- 20 Omit sections 108 and 109 (advice and assistance with respect to employment and training).
- 21 Omit section 110 (research, information and advice) and the italic cross-heading before it.
- 22 Omit section 111 (power to confer supplementary functions on Chief Executive).
- 23 In section 115 (persons with special educational needs), in subsection (1)—
- (a) for “Chief Executive” substitute “Secretary of State”;
- (b) for “the functions of the office” substitute “functions under this Part”.
- 24 In section 116 (persons subject to adult detention)—
- (a) for “Chief Executive” substitute “Secretary of State”;
- (b) for “the functions of the office” substitute “functions under this Part”.
- 25 Omit sections 117 to 120 (information, guidance and directions).
- 26 Before section 121 (in Chapter 4) insert—

“120A Territorial application of Part

The functions of the Secretary of State under this Part, other than the functions conferred by section 107, are exercisable in relation to England only.”

- 27 (1) Section 121 (interpretation) is amended as follows.
- (2) In subsection (1), omit the definition of “functions of the office”.
- (3) In each of subsections (2) and (3), for “the Chief Executive’s remit” substitute “the Secretary of State’s remit under this Part”.
- 28 In section 122 (sharing of information for education and training purposes)—
- (a) omit subsection (3)(a), (c), (d) and (e);

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- (b) in subsection (3)(f), for “any person within paragraphs (a) to (c)” substitute “the Secretary of State”;
 - (c) omit subsection (5)(a);
 - (d) omit subsection (6).
- 29 Omit Schedule 4 (which makes provision for the establishment etc of the office of the Chief Executive).
- 30 In Schedule 5 (learning aims for persons aged 19 or over)—
 - (a) in paragraph 3(2), for “Chief Executive” (in each place where it occurs) substitute “Secretary of State”;
 - (b) in paragraph 8, omit paragraph (a).
- 31 In consequence of the amendments made by this Schedule to Part 4—
 - (a) for the title of the Part substitute “Apprenticeships and adult education and training: role of Secretary of State”;
 - (b) for the title of Chapter 1 substitute “Apprenticeships and adult education and training”;
 - (c) for the title of Chapter 2 substitute “Provision of services to other bodies”;
 - (d) in the title of Chapter 3, omit “Chief Executive’s functions:”.