

*Status: Point in time view as at 18/04/2008.*

*Changes to legislation: There are currently no known outstanding effects for the Further Education and Training Act 2007. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 1

Section 29

#### AMENDMENTS

#### *Industrial Training Act 1982 (c. 10)*

1 The Industrial Training Act 1982 is amended as follows.

#### **Commencement Information**

**I1** Sch. 1 para. 1 in force at 2.3.2008 by S.I. 2007/3505, art. 4(d) (with art. 7)

2 In section 1(2) (definitions)—

(a) before the definition of “employee” insert—

““base period” has the meaning assigned to it by section 11(2E) below;”;

(b) omit the word “and” at the end of the definition of “levy order”;

(c) after that definition, insert—

““levy period” has the meaning assigned to it by section 11(2A) below; and”.

#### **Commencement Information**

**I2** Sch. 1 para. 2 in force at 2.3.2008 by S.I. 2007/3505, art. 4(d) (with art. 7)

3 (1) Section 11 (levies imposed for industrial training board expenses) is amended as follows.

(2) In subsection (3)—

(a) after “must include” insert “, in relation to each levy period, ”;

(b) after “the levy” insert “ payable in respect of that levy period ”;

(c) after “they provide” insert “, in relation to each levy period, ”.

(3) In subsection (4)—

(a) after “may include” insert “, in relation to any levy period, ”;

(b) in paragraph (a), after “portion of the levy” insert “ payable in respect of that levy period ”;

(c) for “the proposals published by the board” substitute “ proposals published by the board ”.

(4) In subsection (5)—

(a) in paragraph (a)—

(i) after “the levy” insert “ payable in respect of a levy period ”, and

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- (ii) after “the relevant emoluments” insert “ in respect of the base period for that levy period ”;
- (b) in paragraph (b)—
  - (i) after “any person” insert “ in respect of a levy period ”, and
  - (ii) after “the relevant emoluments” insert “ in respect of the base period for that levy period ”.
- (5) In subsection (7)—
  - (a) after “unless the amount” insert “ of levy payable in respect of each levy period ”;
  - (b) in paragraph (a), after “the relevant emoluments” insert “ in respect of the base period for that levy period ”.

**Commencement Information**

**I3** Sch. 1 para. 3 in force at 2.3.2008 by S.I. 2007/3505, art. 4(d) (with art. 7)

- 4 In section 12 (supplementary provision), in paragraph (a) of subsection (3), for “a period specified in the order” substitute “ a levy period ”.

**Commencement Information**

**I4** Sch. 1 para. 4 in force at 2.3.2008 by S.I. 2007/3505, art. 4(d) (with art. 7)

- 5 (1) In section 13 (proposals for exemption certificates), subsection (2) is amended as follows.
- (2) In paragraph (b)—
- (a) after “the levy payable” insert “ in respect of each levy period ”;
  - (b) for the words after “the relevant emoluments” substitute “ in respect of the base period for that levy period ”.
- (3) In paragraph (c), after “the levy” insert “ payable by virtue of the resulting levy order ”.
- (4) At the end, insert— “ In this subsection “the relevant emoluments” has the meaning given by section 11(8) above. ”

**Commencement Information**

**I5** Sch. 1 para. 5 in force at 2.3.2008 by S.I. 2007/3505, art. 4(d) (with art. 7)

*Further and Higher Education Act 1992 (c. 13)*

- 6 FHEA 1992 is amended as follows.

**Commencement Information**

**I6** Sch. 1 para. 6 in force at 23.12.2007 for specified purposes by S.I. 2007/3505, art. 2(g)

**I7** Sch. 1 para. 6 in force at 18.4.2008 in so far as not already in force by S.I. 2008/1065, art. 2(c)

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- 7 In section 19 (supplementary powers of a further education corporation), in subsection (4C), for “the Council” substitute “ the council ”.

**Commencement Information**

**I8** Sch. 1 para. 7 in force at 23.12.2007 by S.I. 2007/3505, art. 2(h)

- 8 In section 27 (dissolution of further education corporations), in subsection (5), for “the Charities Act 1960” substitute “ the Charities Act 1993 ”.

**Commencement Information**

**I9** Sch. 1 para. 8 in force at 23.12.2007 by S.I. 2007/3505, art. 2(h)

- 9 (1) Section 57 (intervention) is amended as follows.
- (2) In subsection (1), after “an institution” insert “ in Wales ”.
- (3) In subsection (2)—
- (a) in paragraph (a), for “the Secretary of State is” substitute “ the Welsh Ministers are ”;
  - (b) in paragraphs (b) and (c), for “he is” substitute “ they are ”.
- (4) Omit subsection (3).
- (5) In subsection (4), for “the Secretary of State” substitute “ the Welsh Ministers ”.
- (6) In subsection (5)—
- (a) for “He may” substitute “ They may ”;
  - (b) in paragraph (c), for “he thinks” substitute “ they think ”.
- (7) In the heading, after “Intervention” insert “ : Wales ”.

**Commencement Information**

**I10** Sch. 1 para. 9 in force at 18.4.2008 by S.I. 2008/1065, art. 2(c)

- 10 In section 83 (efficiency studies), in subsection (2), for “a, the” substitute “ the ”.

**Commencement Information**

**I11** Sch. 1 para. 10 in force at 23.12.2007 by S.I. 2007/3505, art. 2(h)

- 11 In section 89 (orders, regulations and directions), in subsection (4), for “the Secretary of State” substitute “ the person making the order or regulations ”.

**Commencement Information**

**I12** Sch. 1 para. 11 in force at 23.12.2007 by S.I. 2007/3505, art. 2(h)

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*Learning and Skills Act 2000 (c. 21)*

12 LSA 2000 is amended as follows.

**Commencement Information**

**I13** Sch. 1 para. 12 in force at 31.1.2008 for specified purposes by S.I. 2007/3505, art. 3(c)

**I14** Sch. 1 para. 12 in force at 21.2.2008 in so far as not already in force by S.I. 2008/313, art. 2(g)

13 In section 1(5) (functions of the Learning and Skills Council for England to be carried out in relation to England), at the beginning insert “ Except as provided in section 11, 12 or 13 of the Further Education and Training Act 2007, ”.

**Commencement Information**

**I15** Sch. 1 para. 13 in force at 23.12.2007 by S.I. 2007/3505, art. 2(h)

14 In section 3D (duties of the Council in relation to core and additional entitlement), in subsection (6) (meaning of “local learning and skills area”), for the words from “an area” to the end substitute “ an area specified by the Secretary of State by order for the purposes of this section. ”

**Commencement Information**

**I16** Sch. 1 para. 14 in force at 21.2.2008 by S.I. 2008/313, art. 2(h)

15 In section 152 (orders and regulations), after subsection (2) insert—

“(2A) Subsection (2) does not apply to a statutory instrument that contains regulations to which subsection (2B) applies.

(2B) The first regulations under section 18A(2) may not be made unless a draft of the regulations has been laid before and approved by a resolution of each House of Parliament.”

**Commencement Information**

**I17** Sch. 1 para. 15 in force at 31.1.2008 by S.I. 2007/3505, art. 3(d)

16 (1) Schedule 3 (committees of the Council) is amended as follows.

(2) In paragraph 1(3) (exception for local councils), for “local learning and skills councils” substitute “ regional learning and skills councils ”.

(3) In paragraph 4 (functions and members), in the heading to that paragraph, for “*Other committees*” substitute “ *Functions and members of committees* ”.

(4) In paragraph 5 (tenure of members of committees), in sub-paragraph (4), for “any other committee” substitute “ a committee ”.

**Commencement Information**

**I18** Sch. 1 para. 16 in force at 21.2.2008 by S.I. 2008/313, art. 2(h)

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## SCHEDULE 2

Section 30

### REPEALS

#### Commencement Information

- I19** Sch. 2 in force at 23.12.2007 for specified purposes by S.I. 2007/3505, art. 2(i)  
**I20** Sch. 2 in force at 21.2.2008 for specified purposes by S.I. 2008/313, art. 2(i)  
**I21** Sch. 2 in force at 21.2.2008 for specified purposes by S.I. 2008/313, art. 2(k)  
**I22** Sch. 2 in force at 21.2.2008 for specified purposes by S.I. 2008/313, art. 2(j)  
**I23** Sch. 2 in force at 2.3.2008 for specified purposes by S.I. 2007/3505, art. 4(e) (with art. 7)  
**I24** Sch. 2 in force at 18.4.2008 for specified purposes by S.I. 2008/1065, art. 2(e)  
**I25** Sch. 2 in force at 18.4.2008 for specified purposes by S.I. 2008/1065, art. 2(d)

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Industrial Training Act 1982 (c. 10)	In section 1(2), the “and” at the end of the definition of “levy order”. In section 11(8), the definition of “the relevant organisations” and the “and” preceding that definition.
Further and Higher Education Act 1992 (c. 13)	In section 17(2), the “and” following paragraph (a). In section 27— (a) in subsection (3), paragraph (a) and the “or” following that paragraph; (b) in subsection (7), paragraph (b) and the “and” preceding that paragraph; (c) subsection (8). Section 57(3).
Learning and Skills Act 2000 (c. 21)	Section 15(2). Sections 19 to 24. Schedule 2. In Schedule 3— (a) in paragraph 1(1), paragraph (a) and, in paragraph (b), the word “other”; (b) paragraphs 2 and 3; (c) in paragraph 4(1), the words from “other than” to the end; (d) paragraph 5(3).
Education Act 2002 (c. 32)	Section 209.
Children Act 2004 (c. 31)	In section 18(3)(c), the words “or section 23 of the Learning and Skills Act 2000 (c. 21)”.
Education and Inspections Act 2006 (c. 40)	In Schedule 14, paragraph 18.

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