



Apprenticeships, Skills, Children and Learning Act 2009

2009 CHAPTER 22

PART 4

THE CHIEF EXECUTIVE OF SKILLS FUNDING

CHAPTER 2

OTHER FUNCTIONS

Provision of services and assistance

107 Provision of services

- (1) The Chief Executive may make arrangements with a permitted recipient for the provision by the Chief Executive 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 Chief Executive in respect of expenditure incurred by the Chief Executive in performing any function under the arrangements.
- (4) In this section "permitted recipient" means—
 - (a) the Secretary of State;

Status: This is the original version (as it was originally enacted).

- (b) the Welsh Ministers;
 - (c) the Scottish Ministers;
 - (d) a Northern Ireland department;
 - (e) the Young People’s Learning Agency for England;
 - (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.
- (5) Before making arrangements under which it may provide services to a permitted recipient who falls within any of paragraphs (b) to (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 Chief Executive must obtain the consent of the Secretary of State.
- (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 Chief Executive 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;
 - (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.

108 Assistance with respect to employment and training

- (1) The Chief Executive may take part in arrangements made by the Secretary of State, the Welsh Ministers or the Scottish Ministers under section 2 of the [Employment and Training Act 1973 \(c. 50\)](#) (arrangements for assisting persons to select, train for, obtain and retain employment).
- (2) Before making such arrangements in relation to Wales or Scotland in which the Chief Executive is to take part, the Secretary of State must obtain the consent of the Welsh Ministers or (as the case may be) the Scottish Ministers to the arrangements.

- (3) Before making such arrangements in which the Chief Executive is to take part, the Welsh Ministers or the Scottish Ministers must obtain the consent of the Secretary of State to the arrangements.

109 Assistance with respect to employment and training: Northern Ireland

- (1) The Chief Executive may take part in any arrangements made by the Department for Employment and Learning in Northern Ireland under section 1 of the [Employment and Training Act \(Northern Ireland\) 1950 \(c. 29 \(N.I.\)\)](#) (arrangements for assisting persons to select, train for, obtain and retain employment).
- (2) Before making such arrangements in which the Chief Executive is to take part, the Department must obtain the consent of the Secretary of State to the arrangements.