
Changes to legislation: Apprenticeships, Skills, Children and Learning Act 2009, Paragraph 40 is up to date with all changes known to be in force on or before 20 March 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

SCHEDULES

SCHEDULE 12

OFQUAL AND THE QCDA: MINOR AND CONSEQUENTIAL AMENDMENTS

Childcare Act 2006 (c. 21)

- 40 (1) Section 42 (further provisions about assessment arrangements) is amended as follows.
- (2) In subsection (2)—
- (a) omit the “and” at the end of paragraph (b);
 - (b) after paragraph (c) insert—
 - “(d) the Qualifications and Curriculum Development Agency, and
 - (e) any other person with whom the Secretary of State has made arrangements in connection with the development, implementation or monitoring of assessment arrangements.”
- (3) Omit subsection (4).
- (4) In subsection (5) for the words before paragraph (a) substitute “ The duties that may be imposed on a person mentioned in subsection (2)(a) to (c) by virtue of subsection (1) include, in relation to persons exercising any function in connection with the moderation or monitoring of assessment arrangements, the duty to permit them— ”.
- (5) For subsection (6) substitute—
- “(6) A learning and development order specifying assessment arrangements may authorise a person specified in the order to make delegated supplementary provisions in relation to such matters as may be specified in the order.
 - (6A) In this section “delegated supplementary provisions” means such provisions (other than provisions conferring or imposing functions on persons mentioned in subsection (2)(a) to (c)) as appear to the authorised person to be expedient for giving full effect to, or otherwise supplementing, the provisions made by the order.
 - (6B) A learning and development order authorising the making of delegated supplementary provisions may provide that such provisions may be made only with the approval of the Secretary of State.
 - (6C) Any delegated supplementary provisions, on being published as specified in the order under which they are made, are to have effect for the purposes of this Chapter as if made by the order.”

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Commencement Information

II Sch. 12 para. 40 in force at 1.4.2010 by [S.I. 2010/1151](#), art. 2, [Sch. 1](#)

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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