
Changes to legislation: Apprenticeships, Skills, Children and Learning Act 2009, Cross Heading: Membership is up to date with all changes known to be in force on or before 10 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 9

THE OFFICE OF QUALIFICATIONS AND EXAMINATIONS REGULATION

Membership

- 2 (1) Ofqual is to consist of—
- [^{F1}(za) a member appointed by Her Majesty by Order in Council as the chief executive of Ofqual,]
 - (a) a member appointed by [^{F2}the Secretary of State to chair Ofqual (“the chair”), and]
 - (b) between 7 and 12 members appointed by the Secretary of State (the “ordinary members”), ^{F3}...
 - ^{F3}(c)
- (2) The person appointed by Her Majesty [^{F4}as the chief executive of] Ofqual is to be known as the Chief Regulator of Qualifications and Examinations (“the Chief Regulator”).
- (3) Ofqual may appoint one of the ordinary members as deputy to the [^{F5}chair] (“the deputy”).
- (4) Before appointing a person as an ordinary member, the Secretary of State must consult the [^{F5}chair] or the deputy (subject to sub-paragraph (6)).
- (5) The Secretary of State may consult the deputy instead of the [^{F5}chair] only if satisfied that—
- (a) it is not practicable to consult the [^{F5}chair] , and
 - (b) it is necessary to make the appointment before it would be practicable to do so.
- (6) The Secretary of State may appoint a person as an ordinary member without consulting either the [^{F5}chair] or the deputy if satisfied that—
- (a) it is not practicable to consult either of those persons, and
 - (b) it is necessary to make the appointment before it would be practicable to do so.
- ^{F6}(7)

Textual Amendments

- F1** Sch. 9 para. 2(1)(za) inserted (1.4.2012) by [Education Act 2011 \(c. 21\)](#), s. 82(3), [Sch. 7 para. 2\(2\)\(a\)](#); [S.I. 2012/924](#), art. 2
- F2** Words in Sch. 9 para. 2(1)(a) substituted (1.4.2012) by [Education Act 2011 \(c. 21\)](#), s. 82(3), [Sch. 7 para. 2\(2\)\(b\)](#); [S.I. 2012/924](#), art. 2

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- F3** Sch. 9 para. 2(1)(c) and word omitted (1.4.2012) by virtue of [Education Act 2011 \(c. 21\), s. 82\(3\)](#), [Sch. 7 para. 2\(2\)\(c\)](#); [S.I. 2012/924, art. 2](#)
- F4** Words in Sch. 9 para. 2(2) substituted (1.4.2012) by [Education Act 2011 \(c. 21\), s. 82\(3\)](#), [Sch. 7 para. 2\(3\)](#); [S.I. 2012/924, art. 2](#)
- F5** Word in Sch. 9 para. 2(3)-(6) substituted (1.4.2012) by [Education Act 2011 \(c. 21\), s. 82\(3\)](#), [Sch. 7 para. 2\(4\)](#); [S.I. 2012/924, art. 2](#)
- F6** Sch. 9 para. 2(7) repealed (14.6.2016) by [The Education \(Repeal of Arrangements for Vocational Qualifications Awarded or Authenticated in Northern Ireland\) Order 2016 \(S.I. 2016/642\), art. 1](#), [Sch. Table 1](#)

Commencement Information

- I1** Sch. 9 para. 2 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