



Apprenticeships, Skills, Children and Learning Act 2009

2009 CHAPTER 22

PART 7

THE OFFICE OF QUALIFICATIONS AND EXAMINATIONS REGULATION

CHAPTER 2

FUNCTIONS IN RELATION TO QUALIFICATIONS

Recognised bodies: monitoring and enforcement

151 Power to give directions

- [^{F1}(1) Subsection (2) applies if it appears to Ofqual that a recognised body has failed or is likely to fail to comply with a condition to which the recognition is subject.]
- (2) Ofqual may direct the recognised body to take or refrain from taking specified steps with a view to securing compliance with the condition.
 - (3) Before giving a recognised body a direction under this section Ofqual must give notice to the body of its intention to do so.
 - (4) The notice must—
 - (a) set out Ofqual's reasons for proposing to give the direction, and
 - (b) specify the period during which, and the way in which, the recognised body may make representations about the proposal.
 - (5) Ofqual must have regard to any representations made by the recognised body during the period specified in the notice in deciding whether to give a direction to the body.
 - (6) A recognised body must comply with a direction given to it under this section.

***Changes to legislation:** Apprenticeships, Skills, Children and Learning Act 2009, Section 151 is up to date with all changes known to be in force on or before 15 April 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*

- (7) A direction under this section is enforceable, on the application of Ofqual—
- (a) in England and Wales, by a mandatory order, ^{F2}...
 - ^{F2}(b)
- (8) A direction given under this section may be amended or revoked by Ofqual; and subsections (3) to (5) apply to the amendment of a direction as they apply to the giving of a direction.

Textual Amendments

- F1** S. 151(1) substituted (1.5.2012) by [Education Act 2011 \(c. 21\)](#), **ss. 23(2)**, 82(3); S.I. 2012/924, art. 3
- F2** S. 151(7)(b) and preceding word repealed (14.6.2016) by [The Education \(Repeal of Arrangements for Vocational Qualifications Awarded or Authenticated in Northern Ireland\) Order 2016 \(S.I.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
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Commencement Information

- I1** S. 151 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