



# 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*

#### [<sup>F1</sup>152A Costs recovery

- (1) Ofqual may, by notice, require a recognised body on which a sanction has been imposed to pay the costs incurred by Ofqual in relation to imposing the sanction, up to the time it is imposed.
- (2) The references in subsection (1) to imposing a sanction are to—
  - (a) giving a direction under section 151;
  - (b) imposing a monetary penalty under section 151A;
  - (c) withdrawing recognition under section 152.
- (3) “Costs” includes in particular—
  - (a) investigation costs;
  - (b) administration costs;
  - (c) costs of obtaining expert advice (including legal advice).
- (4) A notice given to a recognised body under subsection (1) must contain information as to—
  - (a) the amount required to be paid,

---

*Changes to legislation: Apprenticeships, Skills, Children and Learning Act 2009, Section 152A is up to date with all changes known to be in force on or before 28 February 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*

---

- (b) how payment may be made,
  - (c) the period within which payment is required to be made (which must not be less than 28 days),
  - (d) rights of appeal,
  - (e) the period within which an appeal may be made, and
  - (f) the consequences of non-payment.
- (5) The body may require Ofqual to provide a detailed breakdown of the amount specified in the notice.]

---

**Textual Amendments**

**F1** Ss. 152A-152C inserted (1.5.2012) by [Education Act 2011 \(c. 21\)](#), **ss. 23(5)**, 82(3); S.I. 2012/924, art. 3

**Changes to legislation:**

Apprenticeships, Skills, Children and Learning Act 2009, Section 152A is up to date with all changes known to be in force on or before 28 February 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.

[View outstanding changes](#)

**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