



Apprenticeships, Skills, Children and Learning Act 2009

2009 CHAPTER 22

PART 1

APPRENTICESHIPS, STUDY AND TRAINING

[^{F1}CHAPTER A1

APPRENTICESHIPS [^{F1}AND TECHNICAL EDUCATION]: ENGLAND]

[^{F1}Technical education qualifications]

[^{F1}A2D5 Further powers to approve technical education qualifications

- (1) The Institute may, if it considers it appropriate, approve a technical education qualification under this section in respect of one or more published occupations (each a “related” occupation).
- (2) But it may approve a qualification under this section only if—
 - (a) the Institute is satisfied that the qualification falls within a category specified under section [A2D2\(1\)\(b\)](#),
 - (b) the qualification meets each of the following tests in respect of the related occupation or occupations—
 - (i) the appropriate test specified for the category under section [A2D2\(3\)](#), and
 - (ii) the employer demand test (see subsection (6)), and
 - (c) the Institute is not prevented from approving the qualification by virtue of a moratorium under section [A2D9](#).
- (3) The alternative approval test is met in respect of an occupation if—
 - (a) a standard is published under section ZA11 for the occupation, and

Changes to legislation: Apprenticeships, Skills, Children and Learning Act 2009, Section A2D5 is up to date with all changes known to be in force on or before 13 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

- (b) the Institute is satisfied that by obtaining the qualification a person demonstrates attainment of as many of the outcomes set out in the standard as may reasonably be expected to be attained by undertaking a course of education.
- (4) The additional specialist competence test is met in respect of an occupation if—
- (a) a standard is published under section ZA11 for the occupation, and
 - (b) the Institute is satisfied that—
 - (i) by obtaining the qualification, a person demonstrates attainment of particular outcomes which are additional to those set out in the standard, and
 - (ii) attaining all those outcomes (together with attainment of the outcomes set out in the standard) would enable a person to specialise within the occupation.
- (5) The significant outcomes test is met in respect of one or more occupations if—
- (a) the Institute is satisfied that—
 - (i) by obtaining the qualification a person demonstrates attainment of particular outcomes in relation to the occupations, and
 - (ii) attaining those outcomes would enable a person to work in the occupations at a particular level of competence (whether in the course of training or otherwise) or to improve competence in the occupations, and
 - (b) where standards are published under section ZA11 for any of the occupations, the outcomes are set out in the standards (whether or not all in the same standard).
- (6) The employer demand test is met in respect of one or more occupations if the Institute is satisfied that there is, or is likely to be, demand from employers in the occupations for employees who have obtained the particular qualification.]

Textual Amendments

F1 Ss. A2D5-A2D9 inserted (30.9.2022) by Skills and Post-16 Education Act 2022 (c. 21), ss. 7(4), 36(3); S.I. 2022/965, reg. 3(2) (with regs. 4, 5)

Changes to legislation:

Apprenticeships, Skills, Children and Learning Act 2009, Section A2D5 is up to date with all changes known to be in force on or before 13 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.

[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