



Apprenticeships, Skills, Children and Learning Act 2009

2009 CHAPTER 22

PART 1

APPRENTICESHIPS, STUDY AND TRAINING

[^{F1}CHAPTER ZA1

THE INSTITUTE FOR APPRENTICESHIPS [^{F1}AND TECHNICAL EDUCATION]

General duties and functions

[^{F1}ZA2 General duties

- (1) So far as relevant, and subject to any notice given by the Secretary of State under subsection (2), in performing its functions the [^{F2}Institute] must have regard to—
 - (a) the reasonable requirements of industry, commerce, finance, the professions and other employers regarding education and training within the [^{F3}Institute's] remit;
 - (b) the reasonable requirements of persons who may wish to undertake education and training within the [^{F3}Institute's] remit;
 - (c) the need to ensure that education and training within the [^{F3}Institute's] remit is of an appropriate quality;
 - (d) the need to ensure that education and training within the [^{F3}Institute's] remit represents good value in relation to financial resources provided out of public funds;
 - (e) any information provided to it by any person designated by the Secretary of State for the purposes of this paragraph.
- (2) The Secretary of State may give a notice in writing to the [^{F2}Institute] setting out other matters to which the [^{F2}Institute] must have regard when performing its functions.

***Changes to legislation:** Apprenticeships, Skills, Children and Learning Act 2009, Section ZA2 is up to date with all changes known to be in force on or before 03 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*

- ^{F4}(3)
- ^{F4}(4)
- (5) The [^{F2}Institute] must perform its functions efficiently and effectively.
- (6) For the purposes of this [^{F5}Chapter], education or training is within the [^{F3}Institute's] remit if the education or training is or may be [^{F6}provided—
- (a) in the course of an approved English apprenticeship,
 - (b) for the purposes of an approved technical education qualification, ^{F7}...
 - (c) for the purposes of approved steps towards occupational competence, ^{F8}or
 - (d) to enable a person to enter work within a published occupation (whether in the course of training or otherwise).]
- (7) Subsection (1) and any notice under subsection (2) do not apply in relation to functions that are—
- (a) delegated by directions under section ZA4, or
 - (b) conferred by regulations under section ZA5,
- unless the directions or regulations provide for them to apply in relation to the functions.
- (8) Where directions or regulations so provide, the directions or regulations—
- (a) may provide for any education or training to which the functions relate to be treated as within the [^{F3}Institute's] remit for the purposes of this section;
 - (b) may provide for subsection (1) and any notice under subsection (2) to apply in relation to the functions with such modifications as the Secretary of State thinks fit.
- (9) The Secretary of State must—
- (a) publish in such manner as the Secretary of State thinks fit any notice under subsection (2), and
 - (b) lay a copy of it before Parliament.]

Textual Amendments

- F1** Pt. 1 Ch. ZA1 inserted (1.4.2017) by [Enterprise Act 2016 \(c. 12\)](#), s. 44(5), **Sch. 4 para. 2**; S.I. 2017/346, reg. 2(a)
- F2** Word in Pt. 1 substituted (31.1.2019) by [Technical and Further Education Act 2017 \(c. 19\)](#), **ss. 1(2)(d)**, 47(2); S.I. 2019/61, reg. 2(a)
- F3** Word in Pt. 1 substituted (31.1.2019) by [Technical and Further Education Act 2017 \(c. 19\)](#), **ss. 1(2)(c)**, 47(2); S.I. 2019/61, reg. 2(a)
- F4** S. ZA2(3)(4) omitted (8.11.2017) by virtue of [Technical and Further Education Act 2017 \(c. 19\)](#), s. 47(2), **Sch. 1 para. 2(2)**; S.I. 2017/1055, reg. 2(b)(iii)
- F5** Word in s. ZA2(6) substituted (30.9.2022) by [Skills and Post-16 Education Act 2022 \(c. 21\)](#), **ss. 6(2)(a)**, 36(3); S.I. 2022/965, reg. 3(1) (with regs. 4, 5)
- F6** Words in s. ZA2(6) substituted (31.1.2019) by [Technical and Further Education Act 2017 \(c. 19\)](#), s. 47(2), **Sch. 1 para. 2(3)**; S.I. 2019/61, reg. 2(b)
- F7** Word in s. ZA2(6)(b) omitted (30.9.2022) by virtue of [Skills and Post-16 Education Act 2022 \(c. 21\)](#), **ss. 6(2)(b)**, 36(3); S.I. 2022/965, reg. 3(1) (with regs. 4, 5)
- F8** S. ZA2(6)(d) and word inserted (30.9.2022) by [Skills and Post-16 Education Act 2022 \(c. 21\)](#), **ss. 6(2)(c)**, 36(3); S.I. 2022/965, reg. 3(1) (with regs. 4, 5)

Changes to legislation:

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[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