***Changes to legislation:** Apprenticeships, Skills, Children and Learning Act 2009, Cross Heading: Education Act 2002 (c. 32) is up to date with all changes known to be in force on or before 09 October 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 12

OFQUAL AND THE QCDA: MINOR AND CONSEQUENTIAL AMENDMENTS

Education Act 2002 (c. 32)

31 The Education Act 2002 is amended as follows.

Commencement Information

I1 Sch. 12 para. 31 in force at 1.4.2010 by S.I. 2010/1151, art. 2, **Sch. 1**

32 (1) Section 76 (interpretation of Part 6) is amended as follows.

(2) At the beginning insert " (1) ".

(3) In the definition of "assess" omit "examine and".

(4) In the definition of "assessment arrangements" for the words from "for the purpose" to the end substitute " for the specified purposes ".

(5) At the end insert—

"(2) In subsection (1) "the specified purposes", in relation to assessment arrangements for a key stage, means—

(a) the purpose of ascertaining what pupils have achieved in relation to the attainment targets for that stage, and

(b) such other purposes as the Secretary of State may by order specify."

Commencement Information

I2 Sch. 12 para. 32 in force at 1.4.2010 by S.I. 2010/1151, art. 2, **Sch. 1**

[F1]33 . . . . . .

Textual Amendments

F1 Sch. 12 para. 33 omitted (1.4.2012) by virtue of Education Act 2011 (c. 21), s. 82(3), **Sch. 8 para. 26**; S.I. 2012/924, art. 2

[F2]34 . . . . . .

Changes to legislation: *Apprenticeships, Skills, Children and Learning Act 2009, Cross Heading: Education Act 2002 (c. 32) is up to date with all changes known to be in force on or before 09 October 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*

Textual Amendments

F2 Sch. 12 para. 34 omitted (1.4.2012) by virtue of Education Act 2011 (c. 21), s. 82(3), **Sch. 8 para. 26**; S.I. 2012/924, art. 2

35 (1) Section 87 (establishment of the National Curriculum for England by order) is amended as follows.

(2) In subsection (5) for "published as specified" substitute " published by a person, and in the manner, specified ".

(3) In subsection (7)—

(a) omit the "and" at the end of paragraph (a);

(b) after paragraph (b) insert—

"(c) the Qualifications and Curriculum Development Agency, and

(d) any other person with whom the Secretary of State has made arrangements in connection with the development, implementation or monitoring of assessment arrangements,".

(4) Omit subsection (9).

(5) In subsection (10) for the words before paragraph (a) substitute "The duties that may be imposed by virtue of subsection (7)(a) or (b) include, in relation to persons exercising any function in connection with the moderation or monitoring of assessment arrangements, the duty to permit them—".

(6) For subsection (11) substitute—

"(11) An order under subsection (3)(c) may authorise a person specified in the order to make delegated supplementary provisions in relation to such matters as may be specified in the order.

(12) In this section "delegated supplementary provisions" means such provisions (other than provisions conferring or imposing functions as mentioned in subsection (7)(a) or (b)) as appear to the authorised person to be expedient for giving full effect to, or otherwise supplementing, the provisions made by the order.

(13) An order under subsection (3)(c) authorising the making of delegated supplementary provisions may provide that such provisions may be made only with the approval of the Secretary of State.

(14) Any delegated supplementary provisions shall, on being published as specified in the order under which they are made, have effect for the purposes of this Part as if made by the order."

Commencement Information

I3 Sch. 12 para. 35 in force at 1.4.2010 by S.I. 2010/1151, art. 2, **Sch. 1**

36 (1) Section 90 (development work and experiments) is amended as follows.

***Changes to legislation:** Apprenticeships, Skills, Children and Learning Act 2009, Cross Heading: Education Act 2002 (c. 32) is up to date with all changes known to be in force on or before 09 October 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*

[F3](2) . . . . . .

(3) In subsection (5) for the words from "to the" to the end substitute "on any matters specified by the Secretary of State to—

(a) the Secretary of State, or

(b) the reviewing body."

(4) After subsection (5) insert—

"(5A) If required by the Secretary of State to do so the reviewing body shall keep under review development work or experiments carried out following a direction given under subsection (1).

(5B) In this section "the reviewing body" means the Qualifications and Curriculum Development Agency, or any other person, if designated as such by the Secretary of State.

(5C) A designation under subsection (5B) may make different provision for different purposes."

Textual Amendments

F3 Sch. 12 para. 36(2) omitted (1.4.2012) by virtue of Education Act 2011 (c. 21), s. 82(3), **Sch. 8 para. 26**; S.I. 2012/924, art. 2

Commencement Information

I4 Sch. 12 para. 36 in force at 1.4.2010 by S.I. 2010/1151, art. 2, **Sch. 1**

[F4]37 . . . . . .

Textual Amendments

F4 Sch. 12 para. 37 omitted (15.1.2012) by virtue of Education Act 2011 (c. 21), s. 82(3), **Sch. 8 para. 26**; S.I. 2012/84, art. 2

Changes to legislation:
Apprenticeships, Skills, Children and Learning Act 2009, Cross Heading: Education Act 2002 (c. 32) is up to date with all changes known to be in force on or before 09 October 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