



Apprenticeships, Skills, Children and Learning Act 2009

2009 CHAPTER 22

PART 4

[^{F1}APPRENTICESHIPS AND ADULT EDUCATION AND TRAINING: ROLE OF SECRETARY OF STATE]

CHAPTER 3

^{F1} ... SUPPLEMENTARY

Other

115 Persons with [^{F1}special educational needs]

- (1) The [^{F2}Secretary of State] must, in performing [^{F3}functions under this Part], have regard to the needs of persons with [^{F4}special educational needs] to whom this section applies.
- (2) This section applies to—
 - (a) persons who are aged 19 or over, other than persons aged under 25 [^{F5}for whom an EHC plan is maintained], and
 - (b) persons who are subject to adult detention.

^{F6}(3)

^{F7}(4)

Changes to legislation: *Apprenticeships, Skills, Children and Learning Act 2009, Cross Heading:*
Other is up to date with all changes known to be in force on or before 20 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

Textual Amendments

- F1** Words in s. 115 title substituted (1.9.2014) by [Children and Families Act 2014 \(c. 6\)](#), s. 139(6), **Sch. 3 para. 93(d)**; S.I. 2014/889, art. 7(a)
- F2** Words in s. 115(1) substituted (26.5.2015) by [Deregulation Act 2015 \(c. 20\)](#), s. 115(3)(g), **Sch. 14 para. 23(a)**
- F3** Words in s. 115(1) substituted (26.5.2015) by [Deregulation Act 2015 \(c. 20\)](#), s. 115(3)(g), **Sch. 14 para. 23(b)**
- F4** Words in s. 115(1) substituted (1.9.2014) by [Children and Families Act 2014 \(c. 6\)](#), s. 139(6), **Sch. 3 para. 93(a)**; S.I. 2014/889, art. 7(a)
- F5** Words in s. 115(2)(a) substituted (1.9.2014) by [Children and Families Act 2014 \(c. 6\)](#), s. 139(6), **Sch. 3 para. 93(b)**; S.I. 2014/889, art. 7(a)
- F6** S. 115(3) omitted (1.9.2014) by virtue of [Children and Families Act 2014 \(c. 6\)](#), s. 139(6), **Sch. 3 para. 93(c)**; S.I. 2014/889, art. 7(a)
- F7** S. 115(4) omitted (1.9.2014) by virtue of [Children and Families Act 2014 \(c. 6\)](#), s. 139(6), **Sch. 3 para. 93(c)**; S.I. 2014/889, art. 7(a)

Modifications etc. (not altering text)

- C1** S. 115 applied (with modifications) (6.11.2018) by [The Cambridgeshire and Peterborough Combined Authority \(Adult Education Functions\) Order 2018 \(S.I. 2018/1146\)](#), arts. 1(1), 6, **Sch.** (with art. 1(2))
- C2** S. 115 applied (with modifications) (6.11.2018) by [The Liverpool City Region Combined Authority \(Adult Education Functions\) Order 2018 \(S.I. 2018/1142\)](#), arts. 1(1), 6, **Sch.** (with art. 1(2))
- C3** S. 115 applied (with modifications) (6.11.2018) by [The West Midlands Combined Authority \(Adult Education Functions\) Order 2018 \(S.I. 2018/1144\)](#), arts. 1(1), 6, **Sch.** (with art. 1(2))
- C4** S. 115 applied (with modifications) (6.11.2018) by [The Tees Valley Combined Authority \(Adult Education Functions\) Order 2018 \(S.I. 2018/1145\)](#), arts. 1(1), 6, **Sch.** (with art. 1(2))
- C5** S. 115 applied (with modifications) (6.11.2018) by [The West of England Combined Authority \(Adult Education Functions\) Order 2018 \(S.I. 2018/1143\)](#), arts. 1(1), 6, **Sch.** (with art. 1(2))
- C6** S. 115 applied (with modifications) (6.11.2018) by [The Greater Manchester Combined Authority \(Adult Education Functions\) Order 2018 \(S.I. 2018/1141\)](#), arts. 1(1), 6, **Sch.** (with art. 1(2))
- C7** S. 115 applied (with modifications) (5.11.2019) by [The Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority \(Adult Education Functions\) Order 2019 \(S.I. 2019/1457\)](#), arts. 1(1), 6, **Sch.** (with art. 1(2))
- C8** S. 115 applied (with modifications) (28.7.2020) by [The Barnsley, Doncaster, Rotherham and Sheffield Combined Authority \(Functions and Amendment\) Order 2020 \(S.I. 2020/806\)](#), arts. 1, 9, **Sch. 1**
- C9** S. 115 applied (with modifications) (E.) (30.1.2021) by [The West Yorkshire Combined Authority \(Election of Mayor and Functions\) Order 2021 \(S.I. 2021/112\)](#), arts. 1(2), 9, **Sch. 1**

Commencement Information

- I1** S. 115 in force at 1.4.2010 by [S.I. 2010/303](#), art. 3, **Sch. 2** (with arts. 9-11)

116 Persons subject to adult detention

The [^{F8}Secretary of State] must, in performing [^{F9}functions under this Part] , have regard to the needs of persons subject to adult detention.

Textual Amendments

- F8** Words in s. 116 substituted (26.5.2015) by [Deregulation Act 2015 \(c. 20\)](#), s. 115(3)(g), **Sch. 14 para. 24(a)**

Changes to legislation: Apprenticeships, Skills, Children and Learning Act 2009, Cross Heading:
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F9 Words in s. 116 substituted (26.5.2015) by [Deregulation Act 2015 \(c. 20\)](#), s. 115(3)(g), [Sch. 14 para. 24\(b\)](#)

Commencement Information

I2 S. 116 in force at 1.4.2010 by [S.I. 2010/303](#), art. 3, [Sch. 2](#) (with arts. 9-11)

F10 117 Use of information by Chief Executive

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Textual Amendments

F10 Ss. 117-120 omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), s. 115(3)(g), [Sch. 14 para. 25](#)

F10 118 Guidance

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Textual Amendments

F10 Ss. 117-120 omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), s. 115(3)(g), [Sch. 14 para. 25](#)

F10 118A Directions: consultation

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Textual Amendments

F10 Ss. 117-120 omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), s. 115(3)(g), [Sch. 14 para. 25](#)

F10 119 Directions: funding of qualifications

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Textual Amendments

F10 Ss. 117-120 omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), s. 115(3)(g), [Sch. 14 para. 25](#)

F10 120 Other directions relating to functions of the office

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Textual Amendments

F10 Ss. 117-120 omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), s. 115(3)(g), [Sch. 14 para. 25](#)

Changes to legislation:

Apprenticeships, Skills, Children and Learning Act 2009, Cross Heading: Other is up to date with all changes known to be in force on or before 20 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.

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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