

EXPLANATORY MEMORANDUM TO
THE EDUCATION AND INSPECTIONS ACT 2006 AND EDUCATION AND
SKILLS ACT 2008 (CONSEQUENTIAL AMENDMENTS TO SUBORDINATE
LEGISLATION) (ENGLAND) REGULATIONS 2010

2010 No. 1939

1. This explanatory memorandum has been prepared by the Department for Education and is laid before Parliament by Command of Her Majesty.

2. Purpose of the Regulations

These Regulations make amendments to secondary legislation made under powers in the Education and Inspections Act 2006 (“the 2006 Act”) and Education and Skills Act 2008 (“the 2008 Act”) which are consequential on provisions coming into force in the Apprenticeships, Skills, Children and Learning Act 2009(“the 2009 Act”).

3. Matters of special interest to the Joint Committee on Statutory Instruments

None

4. Legislative Context

These Regulations make consequential amendments to secondary legislation made under powers in the 2006 and 2008 Acts but which are necessary as a consequence of provisions coming into force under the 2009 Act.

5. Territorial Extent and Application

This instrument applies to England.

6. European Convention on Human Rights

As these Regulations are subject to negative resolution procedure and do not amend primary legislation, no statement is required.

7. Policy Background

7.1 The 2009 Act dissolved the Learning and Skills Council and repeals sections of the Learning and Skills Act 2000. These regulations are necessary to ensure that references to the repealed sections in secondary legislation made under powers set out in the 2006 and 2008 Act are either omitted or, where appropriate, replaced with references to current legislation.

8. Consultation Outcome

8.1 Given the technical and consequential nature of these Regulations, no public consultation has taken place on the detail of the amendments.

9. Guidance

9.1 As the amendments contained in these Regulations are consequential, no guidance is necessary.

10. Impact

10.1 There is no impact on business, charities or voluntary bodies

10.2 There is no impact on the public sector

10.3 An Impact Assessment has therefore not been prepared for this instrument.

11. Regulating Small Business

11.1 These Regulations do not apply to small business.

12. Monitoring & Review

12.1 The technical nature of these Regulations are such that no specific monitoring and review arrangements are appropriate.

13. Contact

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