



Education Act 1997

1997 CHAPTER 44

PART V **U.K.**

SUPERVISION OF CURRICULUM FOR SCHOOLS AND EXTERNAL QUALIFICATIONS

CHAPTER I **E+W+N.I.**

THE QUALIFICATIONS AND CURRICULUM AUTHORITY

Establishment of the Authority

^{F1}21 **The Qualifications and Curriculum Authority. **E+W+N.I.****

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Textual Amendments

F1 Ss. 21-26A repealed (1.4.2010 for E., 1.11.2010 for W.) by [Apprenticeships, Skills, Children and Learning Act 2009 \(c. 22\)](#), s. 269(4), Sch. 12 para. 13, **Sch. 16 Pt. 4**; S.I. 2010/1151, art. 2, Sch. 1; S.I. 2010/2413, art. 2(a) (with arts. 3-5)

Functions of the Authority

^{F1}22 **General function of Authority to advance education and training. **E+W+N.I.****

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Textual Amendments

F1 Ss. 21-26A repealed (1.4.2010 for E., 1.11.2010 for W.) by Apprenticeships, Skills, Children and Learning Act 2009 (c. 22), s. 269(4), Sch. 12 para. 13, **Sch. 16 Pt. 4**; S.I. 2010/1151, art. 2, Sch. 1; S.I. 2010/2413, art. 2(a) (with arts. 3-5)

F1 23 Functions of the Authority in relation to curriculum and assessment. E+W

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Textual Amendments

F1 Ss. 21-26A repealed (1.4.2010 for E., 1.11.2010 for W.) by Apprenticeships, Skills, Children and Learning Act 2009 (c. 22), s. 269(4), Sch. 12 para. 13, **Sch. 16 Pt. 4**; S.I. 2010/1151, art. 2, Sch. 1; S.I. 2010/2413, art. 2(a) (with arts. 3-5)

F1 24 Functions of the Authority in relation to external vocational and academic qualifications. E+W+N.I.

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Textual Amendments

F1 Ss. 21-26A repealed (1.4.2010 for E., 1.11.2010 for W.) by Apprenticeships, Skills, Children and Learning Act 2009 (c. 22), s. 269(4), Sch. 12 para. 13, **Sch. 16 Pt. 4**; S.I. 2010/1151, art. 2, Sch. 1; S.I. 2010/2413, art. 2(a) (with arts. 3-5)

F1 25 Other functions of the Authority. E+W

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Textual Amendments

F1 Ss. 21-26A repealed (1.4.2010 for E., 1.11.2010 for W.) by Apprenticeships, Skills, Children and Learning Act 2009 (c. 22), s. 269(4), Sch. 12 para. 13, **Sch. 16 Pt. 4**; S.I. 2010/1151, art. 2, Sch. 1; S.I. 2010/2413, art. 2(a) (with arts. 3-5)

F1 26 Supplementary provisions relating to discharge by Authority of their functions. E+W+N.I.

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Textual Amendments

F1 Ss. 21-26A repealed (1.4.2010 for E., 1.11.2010 for W.) by Apprenticeships, Skills, Children and Learning Act 2009 (c. 22), s. 269(4), Sch. 12 para. 13, **Sch. 16 Pt. 4**; S.I. 2010/1151, art. 2, Sch. 1; S.I. 2010/2413, art. 2(a) (with arts. 3-5)

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^{F1}26A Power of Authority to give directions **E+W+N.I.**

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Textual Amendments

- F1** Ss. 21-26A repealed (1.4.2010 for E., 1.11.2010 for W.) by [Apprenticeships, Skills, Children and Learning Act 2009 \(c. 22\)](#), s. 269(4), Sch. 12 para. 13, **Sch. 16 Pt. 4**; S.I. 2010/1151, art. 2, Sch. 1; S.I. 2010/2413, art. 2(a) (with arts. 3-5)

CHAPTER II **U.K.**

[^{F2}FUNCTIONS OF THE NATIONAL ASSEMBLY FOR WALES]

Textual Amendments

- F2** Pt. V Ch. II heading substituted (1.4.2006) by [Qualifications, Curriculum and Assessment Authority for Wales \(Transfer of Functions to the National Assembly for Wales and Abolition\) Order 2005 \(S.I. 2005/3239\)](#), art. 1(1), **Sch. 1 para. 8** (with art. 7)

F3 ...

Textual Amendments

- F3** S. 27 crossheading omitted (1.4.2006) by virtue of [Qualifications, Curriculum and Assessment Authority for Wales \(Transfer of Functions to the National Assembly for Wales and Abolition\) Order 2005 \(S.I. 2005/3239\)](#), art. 1(1), **Sch. 1 para. 9** (with art. 7)

^{F4}27 The Qualifications, Curriculum and Assessment Authority for Wales. **E+W**

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Textual Amendments

- F4** S. 27 omitted (1.4.2006) by virtue of [Qualifications, Curriculum and Assessment Authority for Wales \(Transfer of Functions to the National Assembly for Wales and Abolition\) Order 2005 \(S.I. 2005/3239\)](#), art. 1(1), **Sch. 1 para. 9** (with art. 7)

Functions of the [^{F5}National Assembly for Wales]

Textual Amendments

- F5** Words in s. 28 cross-heading substituted (1.4.2006) by [Qualifications, Curriculum and Assessment Authority for Wales \(Transfer of Functions to the National Assembly for Wales and Abolition\) Order 2005 \(S.I. 2005/3239\)](#), art. 1(1), **Sch. 1 para. 10** (with art. 7)

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[^{F6}28 General function of [^{F7}National Assembly for Wales] to advance education and training. E+W

- (1) The functions conferred on the [^{F8}National Assembly for Wales] by this Part shall be exercised by [^{F9}the National Assembly for Wales] for the purpose of advancing education and training in Wales.
- (2) [^{F10}The National Assembly for Wales] shall exercise [^{F11}its functions] under this Part with a view to promoting quality and coherence in education and training in relation to which [^{F12}it has] functions under this Part.]

Textual Amendments

F6 S. 28 omitted (1.9.2022 for specified purposes, 1.9.2023 for specified purposes) by virtue of [The Curriculum and Assessment \(Wales\) Act 2021 \(Consequential Amendments\) \(Primary Legislation\) Regulations 2022 \(S.I. 2022/744\)](#), reg. 1(3), **Sch. 2 para. 3(3)**

F7 Words in s. 28 heading substituted (1.4.2006) by [Qualifications, Curriculum and Assessment Authority for Wales \(Transfer of Functions to the National Assembly for Wales and Abolition\) Order 2005 \(S.I. 2005/3239\)](#), art. 1(1), **Sch. 1 para. 10** (with art. 7)

F8 Words in s. 28(1) substituted (1.4.2006) by [Qualifications, Curriculum and Assessment Authority for Wales \(Transfer of Functions to the National Assembly for Wales and Abolition\) Order 2005 \(S.I. 2005/3239\)](#), art. 1(1), **Sch. 1 para. 11(a)(i)** (with art. 7)

F9 Words in s. 28(1) substituted (1.4.2006) by [Qualifications, Curriculum and Assessment Authority for Wales \(Transfer of Functions to the National Assembly for Wales and Abolition\) Order 2005 \(S.I. 2005/3239\)](#), art. 1(1), **Sch. 1 para. 11(a)(ii)** (with art. 7)

F10 Words in s. 28(2) substituted (1.4.2006) by [Qualifications, Curriculum and Assessment Authority for Wales \(Transfer of Functions to the National Assembly for Wales and Abolition\) Order 2005 \(S.I. 2005/3239\)](#), art. 1(1), **Sch. 1 para. 11(b)(i)** (with art. 7)

F11 Words in s. 28(2) substituted (1.4.2006) by [Qualifications, Curriculum and Assessment Authority for Wales \(Transfer of Functions to the National Assembly for Wales and Abolition\) Order 2005 \(S.I. 2005/3239\)](#), art. 1(1), **Sch. 1 para. 11(b)(ii)** (with art. 7)

F12 Words in s. 28(2) substituted (1.4.2006) by [Qualifications, Curriculum and Assessment Authority for Wales \(Transfer of Functions to the National Assembly for Wales and Abolition\) Order 2005 \(S.I. 2005/3239\)](#), art. 1(1), **Sch. 1 para. 11(b)(iii)** (with art. 7)

[^{F13}29 Functions of the [^{F14}National Assembly for Wales] in relation to curriculum and assessment. E+W

- (1) [^{F15}The National Assembly for Wales] shall have the functions set out in subsection (2) [^{F16}with respect to—
 - (a) pupils at maintained schools in Wales who have not ceased to be of compulsory school age,
 - (b) pupils at maintained nursery schools in Wales, and
 - (c) children for whom funded nursery education is provided in Wales otherwise than at a maintained school or maintained nursery school.]
- (2) The functions are—
 - (a) to keep under review all aspects of the curriculum for [^{F17}maintained schools or maintained nursery schools] and all aspects of school examinations and assessment;
 - ^{F18}(b)
 - ^{F19}(c)

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- (d) to publish and disseminate, and assist in the publication and dissemination of, information relating to the curriculum for such schools or to school examinations and assessment;
- (e) to make arrangements with appropriate bodies for auditing the quality of assessments made in pursuance of assessment arrangements; ^{F20} ...
- (f) ^{F20}

[^{F21}(2A) In subsection (2) references to the curriculum for a maintained nursery school include references to the curriculum for any funded nursery education provided as mentioned in subsection (1)(c); and references to assessment in schools include references to assessment in funded nursery education.]

- (3) The Authority shall have, in relation to Wales, the function of developing learning goals and related materials for children who are [^{F22}under compulsory school age.]
- (4) The Authority shall have, in relation to Wales, the following functions in connection with baseline assessment schemes (within the meaning of Chapter I of Part IV), namely—
 - (a) if designated by the Secretary of State for the purpose, any function of a designated body under that Chapter; and
 - (b) any other function which may be conferred on the Authority by the Secretary of State.

[^{F23}(5) In this section—

- “assessment” includes examination and test;
- “funded nursery education” has the meaning given by section 98 of the Education Act 2002;
- “maintained school” means—
 - (a) any community, foundation or voluntary school, and
 - (b) any community ^{F24}... special school.

- (6) In the definition of “maintained school”, the reference to a community, foundation or voluntary school or to a community ^{F25}... special school, is a reference to such a school within the meaning of the School Standards and Framework Act 1998.]

[^{F26}(7) In this section references to “school examinations and assessment” do not include examinations taken or assessments carried out for the purpose of the award of a qualification within the meaning of section 56 of the Qualifications Wales Act 2015.]]

Textual Amendments

- F13** S. 29 omitted (1.9.2022 for specified purposes, 1.9.2023 for specified purposes) by virtue of [The Curriculum and Assessment \(Wales\) Act 2021 \(Consequential Amendments\) \(Primary Legislation\) Regulations 2022 \(S.I. 2022/744\)](#), reg. 1(3), **Sch. 2 para. 3(4)**
- F14** Words in s. 29 heading substituted (1.4.2006) by [Qualifications, Curriculum and Assessment Authority for Wales \(Transfer of Functions to the National Assembly for Wales and Abolition\) Order 2005 \(S.I. 2005/3239\)](#), art. 1(1), **Sch. 1 para. 12** (with art. 7)
- F15** Words in s. 29(1) substituted (1.4.2006) by [Qualifications, Curriculum and Assessment Authority for Wales \(Transfer of Functions to the National Assembly for Wales and Abolition\) Order 2005 \(S.I. 2005/3239\)](#), art. 1(1), **Sch. 1 para. 13(a)** (with art. 7)
- F16** Words in s. 29(1) substituted (19.12.2002) by [Education Act 2002 \(c. 32\)](#), **Sch. 17 para. 5(2)** (with ss. 210(8), 214(4)); S.I. 2002/3185, arts. 2, 4, Sch. Pt. 1

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- F17** Words in s. 29(2)(a) substituted (19.12.2002) by Education Act 2002 (c. 32), s. 189, **Sch. 17 para. 5(3)(a)** (with ss. 210(8), 214(4)); S.I. 2002/3185, arts. 2, 4, Sch. Pt. 1
- F18** S. 29(2)(b) omitted (1.4.2006) by virtue of Qualifications, Curriculum and Assessment Authority for Wales (Transfer of Functions to the National Assembly for Wales and Abolition) Order 2005 (S.I. 2005/3239), art. 1(1), **Sch. 1 para. 13(b)(i)** (with art. 7)
- F19** S. 29(2)(c) omitted (1.4.2006) by virtue of Qualifications, Curriculum and Assessment Authority for Wales (Transfer of Functions to the National Assembly for Wales and Abolition) Order 2005 (S.I. 2005/3239), art. 1(1), **Sch. 1 para. 13(b)(ii)** (with art. 7)
- F20** S. 29(2)(f) and preceding word repealed (19.12.2002) by Education Act 2002 (c. 32), ss. 189, 215(2), Sch. 17 para. 5(3)(b), **Sch. 22 Pt. 2** (with ss. 210(8), 214(4)); S.I. 2002/3185, arts. 2, 4, Sch. Pt. 1
- F21** S. 29(2A) inserted (19.12.2002) by Education Act 2002 (c. 32), s. 189, **Sch. 17 para. 5(4)** (with ss. 210(8), 214(4)); S.I. 2002/3185, arts. 2, 4, Sch. Pt. 1
- F22** Words in s. 29(3) substituted (1.9.1999) by 1998 c. 31, s. 140(1), **Sch. 30 para. 215** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch. 1**
- F23** S. 29(5)(6) substituted for s. 29(5) (1.11.2010) by Apprenticeships, Skills, Children and Learning Act 2009 (c. 22), s. 269(3), **Sch. 12 para. 14**; S.I. 2010/2413, art. 2(a) (with arts. 3-5)
- F24** Words in s. 29(5) omitted (W.) (1.10.2013) by virtue of School Standards and Organisation (Wales) Act 2013 (anaw 1), s. 100(4), **Sch. 5 para. 18(2)(a)**; S.I. 2013/1800, art. 3(j)
- F25** Words in s. 29(6) omitted (W.) (1.10.2013) by virtue of School Standards and Organisation (Wales) Act 2013 (anaw 1), s. 100(4), **Sch. 5 para. 18(2)(b)**; S.I. 2013/1800, art. 3(j)
- F26** S. 29(7) inserted (21.9.2015) by Qualifications Wales Act 2015 (anaw 5), s. 60(2), **Sch. 4 para. 2(2)**; S.I. 2015/1687, art. 2 (with arts. 3-13)

Modifications etc. (not altering text)

- C1** S. 29 modified (temp.) (1.4.2006) by Qualifications, Curriculum and Assessment Authority for Wales (Transfer of Functions to the National Assembly for Wales and Abolition) Order 2005 (S.I. 2005/3239), arts. 1(1), **7(4)** (with art. 7)

^{F29}30 Functions of the [^{F27}National Assembly for Wales] in relation to [^{F28}relevant] qualifications **E+W**

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Textual Amendments

- F27** Words in s. 30 heading substituted (1.4.2006) by Qualifications, Curriculum and Assessment Authority for Wales (Transfer of Functions to the National Assembly for Wales and Abolition) Order 2005 (S.I. 2005/3239), art. 1(1), **Sch. 1 para. 14** (with art. 7)
- F28** Word in s. 30 heading substituted (1.11.2010) by Apprenticeships, Skills, Children and Learning Act 2009 (c. 22), s. 269(3), **Sch. 12 para. 15(8)**; S.I. 2010/2413, art. 2(a) (with arts. 3-5)
- F29** S. 30 omitted (21.9.2015) by virtue of Qualifications Wales Act 2015 (anaw 5), s. 60(2), **Sch. 4 para. 2(3)(a)**; S.I. 2015/1687, art. 2 (with arts. 3-13)

^{F30}31 Other functions of the Authority. **E+W**

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Textual Amendments

F30 S. 31 omitted (1.4.2006) by virtue of [Qualifications, Curriculum and Assessment Authority for Wales \(Transfer of Functions to the National Assembly for Wales and Abolition\) Order 2005 \(S.I. 2005/3239\)](#), art. 1(1), **Sch. 1 para. 16** (with art. 7)

^{F31}32 **Supplementary provisions relating to discharge by** ^{F32}**the National Assembly for Wales of its functions].** **E+W**

(1) In carrying out ^{F33}its functions] under this Part ^{F34}the National Assembly for Wales] shall—

^{F35}(a)

^{F36}(b)

(c) so far as relevant, have regard to—

(i) the requirements of ^{F37}section 99 of the Education Act 2002] (general duties in respect of curriculum),

(ii) the ^{F38}reasonable] requirements of industry, commerce, finance and the professions regarding education and training (including required standards of practical competence), and

^{F39}(iii) the reasonable requirements of persons with learning difficulties.]

(2) In carrying out those functions ^{F40}the National Assembly for Wales] shall in addition have regard to information supplied ^{F41}to it] by ^{F42}Her Majesty’s Chief Inspector of Education and Training in Wales or Prif Arolygydd Ei Mawrhydi dros Addysg a Hyfforddiant yng Nghymru] or by any body designated by the Secretary of State for the purposes of this section.

^{F43}(3)

^{F44}(3A)

^{F45}(4)

^{F46}(4A)

^{F47}(5)

^{F48}(6) In this section “persons with learning difficulties” means—

(a) children with ^{F49}additional learning needs (as defined in section 2 of the Additional Learning Needs and Education Tribunal (Wales) Act 2018)], and

(b) other persons who—

(i) have a significantly greater difficulty in learning than the majority of persons of their age, or

(ii) have a disability which either prevents or hinders them from making use of educational facilities of a kind generally provided for persons of their age.

(7) But a person is not to be taken to have a learning difficulty solely because the language (or form of language) in which the person is or will be taught is different from a language (or form of language) which has at any time been spoken in the person’s home.]]

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Textual Amendments

- F31** S. 32 omitted (1.9.2022 for specified purposes, 1.9.2023 for specified purposes) by virtue of [The Curriculum and Assessment \(Wales\) Act 2021 \(Consequential Amendments\) \(Primary Legislation\) Regulations 2022 \(S.I. 2022/744\)](#), reg. 1(3), [Sch. 2 para. 3\(5\)](#)
- F32** Words in s. 32 heading substituted (1.4.2006) by [Qualifications, Curriculum and Assessment Authority for Wales \(Transfer of Functions to the National Assembly for Wales and Abolition\) Order 2005 \(S.I. 2005/3239\)](#), art. 1(1), [Sch. 1 para. 17](#) (with art. 7)
- F33** Words in s. 32(1) substituted (1.4.2006) by [Qualifications, Curriculum and Assessment Authority for Wales \(Transfer of Functions to the National Assembly for Wales and Abolition\) Order 2005 \(S.I. 2005/3239\)](#), art. 1(1), [Sch. 1 para. 18\(a\)\(i\)](#) (with art. 7)
- F34** Words in s. 32(1) substituted (1.4.2006) by [Qualifications, Curriculum and Assessment Authority for Wales \(Transfer of Functions to the National Assembly for Wales and Abolition\) Order 2005 \(S.I. 2005/3239\)](#), art. 1(1), [Sch. 1 para. 18\(a\)\(ii\)](#) (with art. 7)
- F35** S. 32(1)(a) omitted (1.4.2006) by virtue of [Qualifications, Curriculum and Assessment Authority for Wales \(Transfer of Functions to the National Assembly for Wales and Abolition\) Order 2005 \(S.I. 2005/3239\)](#), art. 1(1), [Sch. 1 para. 18\(a\)\(iii\)](#) (with art. 7)
- F36** S. 32(1)(b) omitted (1.4.2006) by virtue of [Qualifications, Curriculum and Assessment Authority for Wales \(Transfer of Functions to the National Assembly for Wales and Abolition\) Order 2005 \(S.I. 2005/3239\)](#), art. 1(1), [Sch. 1 para. 18\(a\)\(iii\)](#) (with art. 7)
- F37** Words in s. 32(1)(c)(i) substituted (19.12.2002 for W., 1.3.2003 for E.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), [Sch. 21 para. 70](#) (with ss. 210(8), 214(4)); [S.I. 2002/3185](#), art. 4, [Sch. Pt. 1](#); [S.I. 2003/124](#), art. 2
- F38** Word in s. 32(1)(c)(ii) inserted (1.11.2010) by [Apprenticeships, Skills, Children and Learning Act 2009 \(c. 22\)](#), s. 269(3), [Sch. 12 para. 16\(2\)\(a\)](#); [S.I. 2010/2413](#), art. 2(a) (with arts. 3-5)
- F39** S. 32(1)(c)(iii) substituted (1.11.2010) by [Apprenticeships, Skills, Children and Learning Act 2009 \(c. 22\)](#), s. 269(3), [Sch. 12 para. 16\(2\)\(b\)](#); [S.I. 2010/2413](#), art. 2(a) (with arts. 3-5)
- F40** Words in s. 32(2) substituted (1.4.2006) by [Qualifications, Curriculum and Assessment Authority for Wales \(Transfer of Functions to the National Assembly for Wales and Abolition\) Order 2005 \(S.I. 2005/3239\)](#), art. 1(1), [Sch. 1 para. 18\(b\)\(i\)](#) (with art. 7)
- F41** Words in s. 32(2) substituted (1.4.2006) by [Qualifications, Curriculum and Assessment Authority for Wales \(Transfer of Functions to the National Assembly for Wales and Abolition\) Order 2005 \(S.I. 2005/3239\)](#), art. 1(1), [Sch. 1 para. 18\(b\)\(ii\)](#) (with art. 7)
- F42** Words in s. 32(2) substituted (1.1.2001) by [2000 c. 21, s. 73\(a\)](#); [S.I. 2000/3230](#), art. 2, [Sch.](#)
- F43** S. 32(3) omitted (21.9.2015) by virtue of [Qualifications Wales Act 2015 \(anaw 5\)](#), s. 60(2), [Sch. 4 para. 2\(3\)\(b\)](#); [S.I. 2015/1687](#), art. 2 (with arts. 3-12)
- F44** S. 32(3A) omitted (21.9.2015) by virtue of [Qualifications Wales Act 2015 \(anaw 5\)](#), s. 60(2), [Sch. 4 para. 2\(3\)\(b\)](#); [S.I. 2015/1687](#), art. 2 (with arts. 3-12)
- F45** S. 32(4) omitted (21.9.2015) by virtue of [Qualifications Wales Act 2015 \(anaw 5\)](#), s. 60(2), [Sch. 4 para. 2\(3\)\(b\)](#); [S.I. 2015/1687](#), art. 2 (with arts. 3-12)
- F46** S. 32(4A) repealed (1.11.2010) by [Apprenticeships, Skills, Children and Learning Act 2009 \(c. 22\)](#), s. 269(3), [Sch. 12 para. 16\(4\)](#), [Sch. 16 Pt. 4](#); [S.I. 2010/2413](#), art. 2(a)(b) (with arts. 3-5)
- F47** S. 32(5) omitted (1.4.2006) by virtue of [Qualifications, Curriculum and Assessment Authority for Wales \(Transfer of Functions to the National Assembly for Wales and Abolition\) Order 2005 \(S.I. 2005/3239\)](#), art. 1(1), [Sch. 1 para. 18\(g\)](#) (with art. 7)
- F48** S. 32(6)(7) substituted for s. 32(6) (1.11.2010) by [Apprenticeships, Skills, Children and Learning Act 2009 \(c. 22\)](#), s. 269(3), [Sch. 12 para. 16\(5\)](#); [S.I. 2010/2413](#), art. 2(a) (with arts. 3-5)
- F49** Words in s. 32(6)(a) substituted (1.9.2021) by [The Additional Learning Needs and Education Tribunal \(Wales\) Act 2018 \(Consequential Amendments\) Regulations 2021 \(S.I. 2021/861\)](#), regs. 1, [3\(2\)](#)

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^{F51} ^{F50} **32ZA Qualifications functions of Welsh Ministers: co-operation and joint working etc.** **E+W**

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Textual Amendments

- F50** S. 32ZA inserted (1.11.2010) by Apprenticeships, Skills, Children and Learning Act 2009 (c. 22), s. 269(3), **Sch. 12 para. 17**; S.I. 2010/2413, art. 2(a) (with arts. 3-5)
- F51** Ss. 32ZA-32C omitted (21.9.2015) by virtue of Qualifications Wales Act 2015 (anaw 5), s. 60(2), **Sch. 4 para. 2(3)(c)**; S.I. 2015/1687, art. 2 (with arts. 3-12)

^{F51} ^{F52} **32B Power of Welsh Ministers to give directions** **E+W**

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Textual Amendments

- F51** Ss. 32ZA-32C omitted (21.9.2015) by virtue of Qualifications Wales Act 2015 (anaw 5), s. 60(2), **Sch. 4 para. 2(3)(c)**; S.I. 2015/1687, art. 2 (with arts. 3-12)
- F52** S. 32A substituted (31.3.2009 for W.) by Education and Skills Act 2008 (c. 25), **ss. 162(10)**, 173(3)(4); S.I. 2009/784, art. 2(a)

^{F51} ^{F53} **32AA Power of Welsh Ministers to impose monetary penalties** **E+W**

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Textual Amendments

- F51** Ss. 32ZA-32C omitted (21.9.2015) by virtue of Qualifications Wales Act 2015 (anaw 5), s. 60(2), **Sch. 4 para. 2(3)(c)**; S.I. 2015/1687, art. 2 (with arts. 3-12)
- F53** Ss. 32AA-32AD inserted (1.5.2012) by Education Act 2011 (c. 21), **ss. 24(4)**, 82(3); S.I. 2012/924, art. 3

^{F51} **32AB Monetary penalties: amount** **E+W**

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Textual Amendments

- F51** Ss. 32ZA-32C omitted (21.9.2015) by virtue of Qualifications Wales Act 2015 (anaw 5), s. 60(2), **Sch. 4 para. 2(3)(c)**; S.I. 2015/1687, art. 2 (with arts. 3-12)
- F53** Ss. 32AA-32AD inserted (1.5.2012) by Education Act 2011 (c. 21), **ss. 24(4)**, 82(3); S.I. 2012/924, art. 3

^{F51} **32AC Monetary penalties: appeals** **E+W**

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Textual Amendments

- F51** Ss. 32ZA-32C omitted (21.9.2015) by virtue of [Qualifications Wales Act 2015 \(anaw 5\)](#), s. 60(2), **Sch. 4 para. 2(3)(c)**; S.I. 2015/1687, art. 2 (with arts. 3-12)
- F53** Ss. 32AA-32AD inserted (1.5.2012) by [Education Act 2011 \(c. 21\)](#), **ss. 24(4)**, 82(3); S.I. 2012/924, art. 3

^{F51}32AD Monetary penalties: interest and recovery E+W

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Textual Amendments

- F51** Ss. 32ZA-32C omitted (21.9.2015) by virtue of [Qualifications Wales Act 2015 \(anaw 5\)](#), s. 60(2), **Sch. 4 para. 2(3)(c)**; S.I. 2015/1687, art. 2 (with arts. 3-12)
- F53** Ss. 32AA-32AD inserted (1.5.2012) by [Education Act 2011 \(c. 21\)](#), **ss. 24(4)**, 82(3); S.I. 2012/924, art. 3

^{F51}^{F54}32B Power of Welsh Ministers to withdraw recognition E+W

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Textual Amendments

- F51** Ss. 32ZA-32C omitted (21.9.2015) by virtue of [Qualifications Wales Act 2015 \(anaw 5\)](#), s. 60(2), **Sch. 4 para. 2(3)(c)**; S.I. 2015/1687, art. 2 (with arts. 3-12)
- F54** Ss. 32B, 32C inserted (1.11.2010) by [Apprenticeships, Skills, Children and Learning Act 2009 \(c. 22\)](#), s. 269(3), **Sch. 12 para. 19**; S.I. 2010/2413, art. 2(a) (with arts. 3-5)

^{F51}^{F55}32BA Costs recovery E+W

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Textual Amendments

- F51** Ss. 32ZA-32C omitted (21.9.2015) by virtue of [Qualifications Wales Act 2015 \(anaw 5\)](#), s. 60(2), **Sch. 4 para. 2(3)(c)**; S.I. 2015/1687, art. 2 (with arts. 3-12)
- F55** Ss. 32BA-32BC inserted (1.5.2012) by [Education Act 2011 \(c. 21\)](#), **ss. 24(6)**, 82(3); S.I. 2012/924, art. 3

^{F51}32BB Costs recovery: appeals E+W

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Textual Amendments

- F51** Ss. 32ZA-32C omitted (21.9.2015) by virtue of [Qualifications Wales Act 2015 \(anaw 5\)](#), s. 60(2), **Sch. 4 para. 2(3)(c)**; S.I. 2015/1687, art. 2 (with arts. 3-12)

Changes to legislation: Education Act 1997, Part V is up to date with all changes known to be in force on or before 11 June 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

F55 Ss. 32BA-32BC inserted (1.5.2012) by Education Act 2011 (c. 21), **ss. 24(6)**, 82(3); S.I. 2012/924, art. 3

F51 **32BC** Costs: interest and recovery **E+W**

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Textual Amendments

- F51** Ss. 32ZA-32C omitted (21.9.2015) by virtue of Qualifications Wales Act 2015 (anaw 5), s. 60(2), **Sch. 4 para. 2(3)(c)**; S.I. 2015/1687, art. 2 (with arts. 3-12)
- F55** Ss. 32BA-32BC inserted (1.5.2012) by Education Act 2011 (c. 21), **ss. 24(6)**, 82(3); S.I. 2012/924, art. 3

F51 **F54** **32C** Surrender of recognition **E+W**

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Textual Amendments

- F51** Ss. 32ZA-32C omitted (21.9.2015) by virtue of Qualifications Wales Act 2015 (anaw 5), s. 60(2), **Sch. 4 para. 2(3)(c)**; S.I. 2015/1687, art. 2 (with arts. 3-12)
- F54** Ss. 32B, 32C inserted (1.11.2010) by Apprenticeships, Skills, Children and Learning Act 2009 (c. 22), s. 269(3), **Sch. 12 para. 19**; S.I. 2010/2413, art. 2(a) (with arts. 3-5)

CHAPTER III E+W+N.I.

PROVISIONS SUPPLEMENTARY TO CHAPTERS I AND II

Dissolution of existing bodies

F56 **33** Dissolution of existing bodies. **E+W**

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Textual Amendments

- F56** S. 33 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 7**

Transfer of property and staff

F57 **34** Transfer of property. **E+W+N.I.**

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Changes to legislation: Education Act 1997, Part V is up to date with all changes known to be in force on or before 11 June 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

F57 S. 34 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), Sch. 1 Pt. 7

^{F58}**35** **Transfer of staff.** **E+W+N.I.**

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Textual Amendments

F58 S. 35 repealed (1.4.2012) by Education Act 2011 (c. 21), s. 82(3), Sch. 8 para. 8; S.I. 2012/924, art. 2

Levy on bodies awarding accredited qualifications

^{F59}**36** **Levy on bodies awarding qualifications accredited by relevant body.** **E+W+N.I.**

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Textual Amendments

F59 S. 36 repealed (1.4.2010) by Apprenticeships, Skills, Children and Learning Act 2009 (c. 22), s. 269(4), Sch. 12 para. 21, Sch. 16 Pt. 4; S.I. 2010/1151, art. 2, Sch. 1

CHAPTER IV **U.K.**

CONTROL OF CERTAIN COURSES LEADING TO EXTERNAL QUALIFICATIONS

^{F60}**37** **Requirement for approval of certain publicly-funded and school courses leading to external qualifications.** **E+W**

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Textual Amendments

F60 S. 37 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), Sch. 1 Pt. 7

Changes to legislation:

Education Act 1997, Part V is up to date with all changes known to be in force on or before 11 June 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](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 24(2)(ga) inserted by [2008 c. 25 s. 161\(3\)\(b\)](#) (This amendment not applied to legislation.gov.uk. S. 161(3)(4)(11)-(13) repealed (1.4.2010 for E., 1.11.2010 for W.) without ever being in force by 2009 c. 22, Sch. 16 Pt. 4; S.I. 2010/1151, art. 2, Sch. 1; S.I. 2010/2413, art. 2)
- s. 24(2B)-(2D) inserted by [2008 c. 25 s. 9](#) (This amendment not applied to legislation.gov.uk. S. 9 repealed (31.5.2013) without ever being in force by 2009 c. 22 Sch. 16 Pt. 4; S.I. 2013/975, art. 2(c))
- s. 26A(1)(1A) substituted for s. 26A(1) by [2008 c. 25 s. 161\(11\)](#) (This amendment not applied to legislation.gov.uk. S. 161(3)(4)(11)-(13) repealed (1.4.2010 for E., 1.11.2010 for W.) without ever being in force by 2009 c. 22, Sch. 16 Pt. 4; S.I. 2010/1151, art. 2, Sch. 1; S.I. 2010/2413, art. 2)
- s. 26A(4)(5) inserted by [2008 c. 25 s. 161\(13\)](#) (This amendment not applied to legislation.gov.uk. S. 161(3)(4)(11)-(13) repealed (1.4.2010 for E., 1.11.2010 for W.) without ever being in force by 2009 c. 22, Sch. 16 Pt. 4; S.I. 2010/1151, art. 2, Sch. 1; S.I. 2010/2413, art. 2)
- s. 38(2B) inserted by [2022 asc 1 Sch. 4 para. 9\(3\)\(b\)](#)
- s. 39(1)(b)(c) substituted for s. 39(1)(b) by [2022 asc 1 Sch. 4 para. 9\(4\)\(b\)](#)
- s. 43(2ZA)(2ZB) inserted by [2009 c. 22 s. 250\(2\)](#) (This amendment not applied to legislation.gov.uk. S. 250 omitted (1.9.2012) by virtue of 2011 c. 21, s. 29(9)(d); S.I. 2012/1087, art. 3)