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STATUTORY INSTRUMENTS

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**2010 No. 1151**

The Apprenticeships, Skills, Children and Learning Act 2009 (Commencement No. 3 and Transitional and Transitory Provisions) and (Commencement No. 2 (Amendment)) Order 2010

PART 5

Amendment of the Apprenticeships, Skills, Children and Learning Act 2009 (Commencement No. 2 and Transitional and Savings Provisions) Order 2010

**Amendment of the Apprenticeships, Skills, Children and Learning Act 2009 (Commencement No.2 and Transitional and Saving Provisions) Order 2010**

**22.**—(1) The Apprenticeships, Skills, Children and Learning Act 2009 (Commencement No.2 and Transitional and Saving Provisions) Order 2010 (1) is amended as follows.

(2) After article 12 insert—

“**13.** Despite the coming into force of section 123 of and paragraphs 14, 15, 41 and 50 of Schedule 6 to, and section 266 of and Part 2 of Schedule 16 to the Act (which repeal sections 1 and 28 of, and Schedule 1 to, the Learning and Skills Act 2000(2)), in accordance with article 3, section 28 and paragraph 14 of Schedule 1 to the Learning and Skills Act 2000 continue to have effect in respect of the financial year beginning on 1st April 2009 only, save that the first reference to the Council is to be read as a reference to the Chief Executive of Skills Funding.

**14.**—(1) Despite the coming into force of section 123 of and paragraphs 14 and 16 of Schedule 6 to, and section 266 of and Part 2 of Schedule 16 to the Act (which repeal section 2 of the Learning and Skills Act 2000), in accordance with article 3, section 2 of the Learning and Skills Act 2000 continues to have effect in accordance with paragraph (2) until the earliest date on which regulations under section 1(5)(b) of the Act come into force.

(2) As continued in effect by paragraph (1), section 2 of the Learning and Skills Act 2000 has effect with the following modifications—

- (a) in subsection (1), for “The Council must” substitute “In connection with working otherwise than under a contract of employment, the Chief Executive of Skills Funding may”;
- (b) in subsection (3), for “performing the duty” substitute “exercising the power” and for “Council’s” substitute “Chief Executive’s”;
- (c) in subsection (3)(e), omit “and in particular avoid provision which might give rise to disproportionate expenditure”;

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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(d) omit subsection (4).”