
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations bring into force specified provisions of the Skills and Post-16 Education Act 2022 (c. 21) (“the Act”) on 30th September 2022. They are the first commencement Regulations to be made under the Act. These Regulations also make transitional provision in connection with the coming into force of the provisions brought into force by these Regulations.

The extent of sections 6 to 9, 12 and 13 of the Act, and therefore these Regulations, is England and Wales, section 10 also extends to Northern Ireland and section 11 to both Scotland and Northern Ireland. However, all of the provisions apply in England only. This is because the 2009 Act, as amended by the Act, only provides for the specification of categories of technical education qualification in relation to England.

Regulation 3 brings into force sections 6 to 13 of the Act on 30th September 2022.

Regulation 4 makes transitional provision in relation to the approval of Higher Technical Qualifications which have been approved before 30th September 2022. Regulation 5 makes transitional provision for Higher Technical Qualifications which have been submitted for approval before 30th September 2022 and for which no decision on approval has been made. Those qualifications will be treated as approved or considered for approval, respectively, under section A2D5 of the Apprenticeships, Skills, Children and Learning Act 2009 (c. 22).

An impact assessment has not been published for these Regulations as no significant impact on the private, voluntary, or public sector is foreseen independent of the provisions these Regulations bring into force. An impact assessment has been published in relation to the Act and copies can be obtained from the Department for Education, Sanctuary Buildings, Great Smith Street, London SW1P 3BT, or from this website: <https://www.gov.uk/government/publications/skills-and-post-16-education-bill-impact-assessment-and-jchr-memorandum>.