



Education Act 1997

1997 CHAPTER 44

PART V

SUPERVISION OF CURRICULUM FOR SCHOOLS AND EXTERNAL QUALIFICATIONS

CHAPTER IV

CONTROL OF CERTAIN COURSES LEADING TO EXTERNAL QUALIFICATIONS

- 37 Requirement for approval of certain publicly-funded and school courses leading to external qualifications.**
- (1) The Secretary of State may by regulations provide—
- (a) that no course of study leading to an external qualification is to be provided with the use of any specified public funding, and
 - (b) that no course of study leading to an external qualification is to be provided for pupils of compulsory school age by or on behalf of a maintained school, unless (in each case) the qualification is for the time being approved by the Secretary of State or a designated body in accordance with the regulations.
- (2) Regulations under this section may in particular make provision—
- (a) prescribing the conditions required to be satisfied before any qualification may be so approved and the circumstances in which any approval may be withdrawn;
 - (b) conferring functions on a designated body in relation to any such conditions; and
 - (c) imposing duties on governing bodies of institutions providing courses of study to which the regulations apply, and on head teachers, principals and other heads of such institutions, to secure compliance with the regulations.
- (3) Regulations under this section shall not apply to—

Status: Point in time view as at 01/09/1997. This version of this provision has been superseded.

Changes to legislation: Education Act 1997, Section 37 is up to date with all changes known to be in force on or before 14 July 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)

- (a) any course of study provided at an institution within the higher education sector; or
 - (b) any course of study leading to a qualification awarded or authenticated by any such institution.
- (4) In this section—
- “designated” means designated by the Secretary of State;
 - “external qualification” has the same meaning as in section 24;
 - “maintained school” has the same meaning as in section 23; and
 - “specified public funding” means public funding of such description as is specified in or determined in accordance with regulations under this section.
- (5) Sections 400 and 401 of the ^{M1}Education Act 1996 (courses leading to external qualifications provided at schools and further education institutions), which are superseded by this section, shall cease to have effect.

Commencement Information

II S. 37 partly in force; s. 37 not in force at Royal Assent see s. 58(3); s. 37(1)-(4) in force at 1.9.1997 by S.I. 1997/1468, art. 2, **Sch. 1**

Marginal Citations

M1 1996 c. 56.

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