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*Status: Point in time view as at 09/02/2018.*

*Changes to legislation: Apprenticeships, Skills, Children and Learning Act 2009, Cross Heading: General duties and functions is up to date with all changes known to be in force on or before 13 August 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)*

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# Apprenticeships, Skills, Children and Learning Act 2009

## 2009 CHAPTER 22

### PART 1

#### APPRENTICESHIPS, STUDY AND TRAINING

#### [<sup>F1</sup>CHAPTER ZA1

#### THE INSTITUTE FOR APPRENTICESHIPS

#### *[<sup>F1</sup>General duties and functions*

#### Textual Amendments

**F1** Pt. 1 Ch. ZA1 inserted (1.4.2017) by [Enterprise Act 2016 \(c. 12\), s. 44\(5\), Sch. 4 para. 2; S.I. 2017/346, reg. 2\(a\)](#)

#### **ZA2** General duties

- (1) So far as relevant, and subject to any notice given by the Secretary of State under subsection (2), in performing its functions the IfA must have regard to—
- (a) the reasonable requirements of industry, commerce, finance, the professions and other employers regarding education and training within the IfA's remit;
  - (b) the reasonable requirements of persons who may wish to undertake education and training within the IfA's remit;
  - (c) the need to ensure that education and training within the IfA's remit is of an appropriate quality;
  - (d) the need to ensure that education and training within the IfA's remit represents good value in relation to financial resources provided out of public funds;

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- (e) any information provided to it by any person designated by the Secretary of State for the purposes of this paragraph.
- (2) The Secretary of State may give a notice in writing to the IfA setting out other matters to which the IfA must have regard when performing its functions.
- <sup>F2</sup>(3) .....
- <sup>F2</sup>(4) .....
- (5) The IfA must perform its functions efficiently and effectively.
- (6) For the purposes of this section, education or training is within the IfA's remit if the education or training is or may be provided in the course of an approved English apprenticeship.
- (7) Subsection (1) and any notice under subsection (2) do not apply in relation to functions that are—
  - (a) delegated by directions under section ZA4, or
  - (b) conferred by regulations under section ZA5,
 unless the directions or regulations provide for them to apply in relation to the functions.
- (8) Where directions or regulations so provide, the directions or regulations—
  - (a) may provide for any education or training to which the functions relate to be treated as within the IfA's remit for the purposes of this section;
  - (b) may provide for subsection (1) and any notice under subsection (2) to apply in relation to the functions with such modifications as the Secretary of State thinks fit.
- (9) The Secretary of State must—
  - (a) publish in such manner as the Secretary of State thinks fit any notice under subsection (2), and
  - (b) lay a copy of it before Parliament.

**Textual Amendments**

**F2** S. ZA2(3)(4) omitted (8.11.2017) by virtue of [Technical and Further Education Act 2017 \(c. 19\)](#), s. 47(2), [Sch. 1 para. 2\(2\)](#); S.I. 2017/1055, reg. 2(b)(iii)

**ZA3 Provision of advice and assistance to the Secretary of State etc**

- (1) The IfA may, if requested to do so by the Secretary of State, provide the Secretary of State with advice and assistance in connection with the Secretary of State's functions [<sup>F3</sup>in relation to England relating to—
  - (a) apprenticeships, or
  - (b) other education or training.]
- (2) The Secretary of State's functions mentioned in subsection (1) include those under section 100(1A) or otherwise relating to the funding of apprenticeships in relation to England.

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### Textual Amendments

- F3** Words in s. ZA3(1) substituted (9.2.2018) by [Technical and Further Education Act 2017 \(c. 19\)](#), s. 47(2), [Sch. 1 para. 3\(2\)](#); S.I. 2018/140, reg. 2(b)(iii)

## **ZA4 Delegation of functions to the IfA by Secretary of State**

- (1) The Secretary of State may by direction delegate to the IfA any of the Secretary of State's functions relating to apprenticeships in relation to England.
- (2) The functions may be delegated—
  - (a) to any extent that the Secretary of State specifies in the direction, and
  - (b) subject to any conditions that the Secretary of State specifies in the direction.
- (3) The Secretary of State's functions mentioned in subsection (1) include those under section 100(1A) or otherwise relating to the funding of apprenticeships in relation to England.

## **ZA5 Conferral of further functions on the IfA by regulations**

- (1) The Secretary of State may by regulations confer on the IfA such functions relating to apprenticeships in relation to England as the Secretary of State considers appropriate.
- (2) A function conferred by regulations under subsection (1) may involve the exercise of a discretion.

## **ZA6 Annual and other reports**

- (1) As soon as reasonably practicable after the end of each financial year, the IfA must prepare an annual report.
- (2) An annual report is a report which includes—
  - (a) a description of what the IfA has done during the year, including a description of what the IfA has done as a result of any notice given by the Secretary of State under section ZA2(2),
  - (b) the statement of accounts prepared for that year under paragraph 11 of Schedule A1, and
  - (c) such other provision as the Secretary of State may direct.
- (3) The IfA must send the report to the Secretary of State as soon as reasonably practicable after it has been prepared.
- (4) The Secretary of State must lay a copy of the report before Parliament.
- (5) The Secretary of State may direct the IfA to prepare, and send to the Secretary of State, as soon as reasonably practicable a report on any matter relating to its functions.
- (6) In this section “financial year” means—
  - (a) the period beginning with the day on which this section comes into force and ending with the following 31 March, and
  - (b) each successive period of 12 months.]

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