



# Apprenticeships, Skills, Children and Learning Act 2009

## 2009 CHAPTER 22

### [<sup>F1</sup>PART 1A

APPRENTICESHIPS [<sup>F1</sup>, TECHNICAL EDUCATION QUALIFICATIONS][<sup>F1</sup>AND  
OTHER EDUCATION AND TRAINING]: INFORMATION SHARING

*England*

#### [<sup>F1</sup>[ <sup>F2</sup>40AB] **Sharing of technical education information by or with Ofqual**

- (1) Ofqual may disclose information to a relevant person for the purpose of a relevant function of—
  - (a) Ofqual, or
  - (b) the relevant person.
- (2) A relevant person may disclose information to Ofqual for the purpose of a relevant function of—
  - (a) Ofqual, or
  - (b) the relevant person.
- (3) In this section “relevant person” means—
  - (a) the Secretary of State;
  - (b) the OfS;
  - (c) Ofsted;
  - (d) a prescribed person.
- (4) In this section “relevant function” means—
  - (a) in relation to the Secretary of State, Ofqual, the OfS or Ofsted, a technical education function of that body so far as the function relates to England;

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**Changes to legislation:** *Apprenticeships, Skills, Children and Learning Act 2009, Section 40AB is up to date with all changes known to be in force on or before 01 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) View outstanding changes*

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(b) in relation to a prescribed person, a prescribed technical education function of that person, so far as the function relates to England.

(5) In this section—

“Ofqual”, the “OfS” and “Ofsted” have the same meanings as in section 40AA;

“technical education function” means a function that relates to technical education qualifications approved, or that may be approved, by the Institute for Apprenticeships and Technical Education under section A2D3 or [A2D5](#).]]

#### **Textual Amendments**

- F1** Pt. 1A inserted (4.7.2016) by [Enterprise Act 2016 \(c. 12\)](#), **ss. 26(1)**, 44(5); S.I. 2016/695, art. 2(a)
- F2** [S. 40AB](#) inserted (30.9.2022) by [Skills and Post-16 Education Act 2022 \(c. 21\)](#), **ss. 11(2)**, 36(3); S.I. 2022/965, reg. 3(6) (with regs. 4, 5)

**Changes to legislation:**

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**Commencement Orders yet to be applied to the Apprenticeships, Skills, Children and Learning Act 2009**

Commencement Orders bringing provisions within this Act into force:

- [S.I. 2009/3341 art. 2](#) commences (2009 c. 22)
- [S.I. 2010/2413 art. 2](#) commences (2009 c. 22)
- [S.I. 2011/829 art. 2](#) commences (2009 c. 22)
- [S.I. 2011/882 art. 2](#) amendment to earlier commencing SI 2010/303 art. 7 Sch. 6