



# Apprenticeships, Skills, Children and Learning Act 2009

## 2009 CHAPTER 22

### PART 1

#### APPRENTICESHIPS, STUDY AND TRAINING

#### [<sup>F1</sup>CHAPTER A1

#### APPRENTICESHIPS [<sup>F1</sup>AND TECHNICAL EDUCATION]: ENGLAND]

#### *[<sup>F1</sup>Technical education qualifications*

#### [<sup>F1</sup>A2DA] **Approved technical education qualifications**

- (1) The Institute may, if it considers it appropriate, approve a technical education qualification in respect of one or more occupations for which standards are published under section ZA11.
- (2) The Institute may make any arrangements that it considers appropriate—
  - (a) to secure that suitable technical education qualifications are available for approval under this section, or
  - (b) in connection with the approval or continued approval of a technical education qualification.
- (3) The Institute may approve a technical education qualification under this section only if satisfied that by obtaining the qualification a person demonstrates that he or she has attained as many of the outcomes set out in the standards as may reasonably be expected to be attained by undertaking a course of education.
- (4) The Institute may approve a technical education qualification under this section only where the Institute—

*Status: Point in time view as at 31/01/2019. This version of this provision has been superseded.*

*Changes to legislation: Apprenticeships, Skills, Children and Learning Act 2009, Section A2DA is up to date with all changes known to be in force on or before 30 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) has determined the documents relating to the qualification to which it considers section A21A should apply (if any), and
  - (b) is satisfied that each person (other than the Institute) who it thinks is entitled to a right or interest in any copyright in those documents agrees to the right or interest being transferred to the Institute (see section A21A).
- (5) If the Institute fails to comply with subsection (4)(b) then, unless it does so in the knowledge that a person does not agree as mentioned in that provision—
- (a) the failure does not invalidate the approval of the qualification, but
  - (b) the Institute must pay such compensation (if any) as may be appropriate to any person whose right or interest is transferred to the Institute without the person's agreement.
- (6) In making a determination under subsection (4)(a), the Institute may take into account the likelihood of any person agreeing as mentioned in subsection (4)(b).
- (7) The Institute may revise its determination under subsection (4)(a) before approving the qualification.
- (8) The Institute may withdraw approval given under this section.
- (9) The Institute is not required to withdraw approval given under this section merely because a qualification is modified.
- (10) Where a technical education qualification is approved under this section, the Institute must publish, with the information published under section ZA10(5) in relation to the occupations, information indicating that a technical education qualification has been approved in respect of them.
- (11) Where approval of a technical education qualification is withdrawn under this section, the Institute must publish, with the information published under section ZA10(5) in relation to the occupations, information indicating that the approval of the qualification has been withdrawn.
- (12) In this Chapter “technical education qualification” means a qualification that relates to one or more occupations.
- (13) In this Chapter a technical education qualification that the Institute approves under this section is referred to as “an approved technical education qualification”.]

#### **Textual Amendments**

- F1** Ss. A2DA-A2DC and cross-heading inserted (31.1.2019) by [Technical and Further Education Act 2017 \(c. 19\)](#), s. 47(2), [Sch. 1 para. 15](#); S.I. 2019/61, reg. 2(b)

**Status:**

Point in time view as at 31/01/2019. This version of this provision has been superseded.

**Changes to legislation:**

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