



Apprenticeships, Skills, Children and Learning Act 2009

2009 CHAPTER 22

PART 1

APPRENTICESHIPS, STUDY AND TRAINING

[^{F1}CHAPTER A1

APPRENTICESHIPS [^{F1}AND TECHNICAL EDUCATION]: ENGLAND

^{F1}/^{F2}

[^{F1}/^{F2}A2] **Examinations by independent third parties**

- (1) Before the [^{F3}Institute] approves a standard or [^{F4}apprenticeship] assessment plan for the purposes of section [^{F5}ZA11(3) or section A2(6)] it must make arrangements for the carrying out of an examination of the standard or [^{F4}apprenticeship] plan by an independent third party.
- (2) The duty imposed by subsection (1) does not apply in relation to a revised version of a standard or [^{F4}apprenticeship] assessment plan, but the [^{F3}Institute] may, for the purposes of a review under section A2E or at any other time, make arrangements for the carrying out of an examination of a standard or [^{F4}apprenticeship] assessment plan by an independent third party.
- (3) Where an examination of a standard or [^{F4}apprenticeship] assessment plan is carried out under this section, the [^{F3}Institute] must take account of the finding of the examination in exercising its functions in relation to the standard or [^{F4}apprenticeship] plan under this Chapter.

***Changes to legislation:** Apprenticeships, Skills, Children and Learning Act 2009, Section A2G is up to date with all changes known to be in force on or before 22 May 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*

- (4) Nothing in subsection (1) prevents the [^{F3}Institute] deciding to reject a standard or [^{F4}apprenticeship] assessment plan without first making arrangements for the carrying out of an examination by an independent third party.]]

Textual Amendments

- F1** Pt. 1 Ch. A1 inserted (26.3.2015 for specified purposes, 26.5.2015 in so far as not already in force) by [Deregulation Act 2015 \(c. 20\)](#), s. 115(2)(e), **Sch. 1 para. 1** (with [Sch. 1 para. 28](#)); S.I. 2015/994, art. 6(a) (with [Sch. Pt. 2](#))
- F2** Ss. A2-A2I and cross-headings substituted for s. A2 (1.4.2017) by [Enterprise Act 2016 \(c. 12\)](#), s. 44(5), **Sch. 4 para. 5**; S.I. 2017/346, reg. 2(a)
- F3** Word in Pt. 1 substituted (31.1.2019) by [Technical and Further Education Act 2017 \(c. 19\)](#), **ss. 1(2)(d)**, 47(2); S.I. 2019/61, reg. 2(a)
- F4** Words in s. A2G inserted (8.11.2017) by [Technical and Further Education Act 2017 \(c. 19\)](#), s. 47(2), **Sch. 1 para. 20(a)**; S.I. 2017/1055, reg. 2(b)(iii)
- F5** Words in s. A2G(1) substituted (8.11.2017) by [Technical and Further Education Act 2017 \(c. 19\)](#), s. 47(2), **Sch. 1 para. 20(b)**; S.I. 2017/1055, reg. 2(b)(iii)

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[View outstanding changes](#)

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