

2012 No. 956

EDUCATION, ENGLAND

The Young People’s Learning Agency Abolition (Consequential Amendments to Subordinate Legislation) (England) Order 2012

<i>Made</i>	- - - -	<i>26th March 2012</i>
<i>Laid before Parliament</i>		<i>3rd April 2012</i>
<i>Coming into force</i>	- -	<i>1st May 2012</i>

The Secretary of State for Education makes the following Order in exercise of the power conferred by sections 67(2) and 78(2)(c) of the Education Act 2011(a).

Citation and commencement

1. This Order may be cited as the Young People’s Learning Agency Abolition (Consequential Amendments to Subordinate Legislation) (England) Order 2012 and comes into force on 1st May 2012.

Amendment of the Social Security (Overlapping Benefits) Regulations 1979

2. In regulation 2(1) (interpretation) of the Social Security (Overlapping Benefits) Regulations 1979(b) in the definition of “training allowance” omit “Young People’s Learning Agency for England,”.

Amendment of the Income Support (General) Regulations 1987

- 3.—(1) The Income Support (General) Regulations 1987(c) are amended as follows.
- (2) In regulation 2(1) (interpretation) in paragraph (a) of the definition of “training allowance” omit “the Young People’s Learning Agency for England,”.
- (3) In regulation 61(1) (interpretation)—
- (a) in paragraph (d) of the definition of “access funds”—
 - (i) for “Young People’s Learning Agency for England under sections 61 and 62 of the Apprenticeships, Skills, Children and Learning Act 2009” substitute “Secretary of State under section 14 of the Education Act 2002”(d), and
 - (ii) for “that Act” substitute “the Apprenticeships, Skills, Children and Learning Act 2009”;
 - (b) in the definition of “full-time course of advanced education”—

(a) 2011 c.21.
(b) S.I. 1979/597; relevant amending instruments are S.I.1988/1446; 1991/3872005/337 and 2010/1941.
(c) S.I. 1987/1967; relevant amending instruments are S.I. 1991/236, 1991/387, 1996/206, 1996/1944, 2000/1922, 2001/652, 2001/2319; 2008/3157; 2009/583 and 2010/1941.
(d) 2002 c.32.

- (i) in paragraphs (a) and (b) for “Young People’s Learning Agency for England” substitute “Secretary of State under section 14 of the Education Act 2002” in each place where those words occur, and
 - (ii) in paragraph (b)(i) for “bodies” substitute “persons”; and
 - (c) in the definition of “full-time course of study”—
 - (i) in paragraphs (a) and (b) for “Young People’s Learning Agency for England” substitute “Secretary of State under section 14 of the Education Act 2002” in each place where those words occur, and
 - (ii) in paragraph (b)(i) for “bodies” substitute “persons”.
- (4) In paragraph 28 of Schedule 1B (persons engaged in training) for “Young People’s Learning Agency for England” substitute “Secretary of State”.

Amendment of the Council Tax (Discount Disregards) Order 1992

4. In paragraph 8(1)(b)(ii) of Schedule 1 (definition of students, etc.) to the Council Tax (Discount Disregards) Order 1992(a) for “Young People’s Learning Agency for England” substitute “Secretary of State under section 14 of the Education Act 2002”.

Amendment of the Jobseeker’s Allowance Regulations 1996

- 5.—(1) The Jobseeker’s Allowance Regulations 1996(b) are amended as follows.
- (2) In regulation 1(3) (citation, commencement and interpretation)—
- (a) in the definition of “full-time course of advanced education”—
 - (i) in paragraphs (a) and (b) for “Young People’s Learning Agency for England” substitute “Secretary of State under section 14 of the Education Act 2002” in each place where those words occur, and
 - (ii) in paragraph (b)(i) for “bodies” substitute “persons”;
 - (b) in the definition of “full-time student”—
 - (i) in paragraph (b)(i) and (ii) for “Young People’s Learning Agency for England” substitute “Secretary of State under section 14 of the Education Act 2002” in each place where those words occur, and
 - (ii) in paragraph (b)(ii)(aa) for “bodies” substitute “persons”; and
 - (c) in paragraph (a) of the definition of “training allowance” omit “the Young People’s Learning Agency for England.”
- (3) In regulations 11(3) (part-time students) for “Young People’s Learning Agency for England” substitute “Secretary of State”.
- (4) In regulation 57(1) (interpretation of Part IV) in the definition of “training” for “Young People’s Learning Agency for England” substitute “Secretary of State”.
- (5) In regulation 75(1)(b)(i) (interpretation) for “Young People’s Learning Agency for England” substitute “Secretary of State”.
- (6) In regulation 130 (interpretation) in paragraph (d) of the definition of “access funds”—
- (a) for “Young People’s Learning Agency for England under sections 61 and 62 of the Apprenticeships, Skills, Children and Learning Act 2009” substitute “Secretary of State under section 14 of the Education Act 2002”; and
 - (b) for “that Act” substitute “the Apprenticeships, Skills, Children and Learning Act 2009”.

(a) S.I. 1992/548, amended by S.I. 2006/3396 and 2010/1941.

(b) S.I. 1996/207; relevant amending instruments are S.I. 1996/1516, 1998/1274, 2000/1922, 2000/1978, 2000/1981, 2001/652, 2001/1434, 2001/2319, 2006/718, 2008/3157, 2009/583, 2010/641 and 2010/1941.

(7) In regulation 170(2) (persons in receipt of a training allowance) for “Young People’s Learning Agency for England” substitute “Secretary of State”.

(8) In paragraph 16 of Schedule A1 (young persons in training) for “Young People’s Learning Agency for England” substitute “Secretary of State”.

Amendment of the Housing Renewal Grants Regulations 1996

6. In regulation 41 (interpretation) of the Housing Renewal Grants Regulations 1996(a)—

- (a) in paragraph (d) of the definition of “access funds”—
 - (i) for “Young People’s Learning Agency for England under sections 61 and 62 of the Apprenticeships, Skills, Children and Learning Act 2009” substitute “Secretary of State under section 14 of the Education Act 2002”, and
 - (ii) for “that Act” substitute “the Apprenticeships, Skills, Children and Learning Act 2009”; and
- (b) in the definition of “full-time course of study”—
 - (i) in paragraphs (a) and (b) for “Young People’s Learning Agency for England” substitute “Secretary of State under section 14 of the Education Act 2002” in each place where those words occur, and
 - (ii) in paragraph (b)(i) for “bodies” substitute “persons”.

Amendment of the National Minimum Wage Regulations 1999

7. In regulation 2(1) (general interpretative provisions) of the National Minimum Wage Regulations 1999(b) in paragraph (a)(i) of the definition of “further education course” for “Young People’s Learning Agency for England” substitute “Secretary of State under section 14 of the Education Act 2002”.

Amendment of the Education (Grants etc.) (Dance and Drama) (England) Regulations 2001

8. In regulation 12(2) (requirements to be complied with) of the Education (Grants etc.) (Dance and Drama) (England) Regulations 2001(c)—

- (a) in paragraph (a) for “or, if he so directs, to the Young People’s Learning Agency for England,” substitute “with”; and
- (b) for paragraph (b) for “Young People’s Learning Agency for England” substitute “Secretary of State”.

Amendment of the Education (Teacher Student Loans) (Repayment etc.) Regulations 2003

9.—(1) The Education (Teacher Student Loans) (Repayments etc.) Regulations 2003(d) are amended as follows.

(2) In regulation 2(1) (interpretation)—

- (a) after the definition of “1998 Act” insert—

““2002 Act” means the Education Act 2002;”; and
- (b) in the definition of “specialist college” for “Young People’s Learning Agency for England” substitute “Secretary of State under section 14 of the 2002 Act”.

(3) In regulation 4(3)(d) (eligible employment) for “Young People’s Learning Agency for England” substitute “Secretary of State under section 14 of the 2002 Act”.

(a) S.I. 1996/2890; relevant amending instruments are S.I. 2001/739, 2002/530 and 2010/1941.

(b) S.I. 1999/584; amended by S.I. 2011/2347; there are other amending instruments but none are relevant.

(c) S.I. 2001/2857; amended by S.I. 2010/1941 and 2005/3238.

(d) S.I. 2003/1917; amended by S.I. 2010/1941; there are other amending instruments but none are relevant.

(4) In regulation 5(2)(b) (newly qualified teacher) for “Education Act 2002” substitute “2002 Act”.

Amendment of the Education (School Inspection) (England) Regulations 2005

10. In regulation 4(1)(f) (notification of an inspection) of the Education (School Inspection) (England) Regulations 2005(a) for “Young People’s Learning Agency for England” substitute “Secretary of State”.

Amendment of the Housing Benefit Regulations 2006

11.—(1) The Housing Benefit Regulations 2006(b) are amended as follows.

(2) In regulation 2(1) (interpretation) in paragraph (a) of the definition of “training allowance” omit “the Young People’s Learning Agency for England,”.

(3) In regulation 53(1) (interpretation)—

(a) in paragraph (d) of the definition of “access funds”—

(i) for “Young People’s Learning Agency for England under sections 61 and 62 of the Apprenticeships, Skills, Children and Learning Act 2009” substitute “Secretary of State under section 14 of the Education Act 2002”, and

(ii) for “that Act” substitute “the Apprenticeships, Skills, Children and Learning Act 2009”; and

(b) in the definition of “full-time course of study”—

(i) in paragraphs (a) and (b) for “Young People’s Learning Agency for England” substitute “Secretary of State under section 14 of the Education Act 2002” in each place where those words occur, and

(ii) in paragraph (b)(i) for “bodies” substitute “persons”.

Amendment of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006

12. In regulation 2(1) (interpretation) of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006(c) in paragraph (a) of the definition of “training allowance” omit “the Young People’s Learning Agency for England,”.

Amendment of the Council Tax Benefit Regulations 2006

13.—(1) The Council Tax Benefit Regulations 2006(d) are amended as follows.

(2) In regulation 2(1) (interpretation) in paragraph (a) of the definition of “training allowance” omit “the Young People’s Learning Agency for England,”.

(3) In regulation 43(1) (interpretation)—

(a) in paragraph (d) of the definition of “access funds”—

(i) for “Young People’s Learning Agency for England under sections 61 and 62 of the Apprenticeships, Skills, Children and Learning Act 2009” substitute “Secretary of State under section 14 of the Education Act 2002”, and

(ii) for “that Act” substitute “the Apprenticeships, Skills, Children and Learning Act 2009”; and

(b) in the definition of “full-time course of study”—

(a) S.I. 2005/2038; amended by S.I. 2010/1941; there are other amending instruments but none are relevant.

(b) S.I. 2006/213; relevant amending instruments are S.I. 2008/3157, 2009/538 and 2010/1941.

(c) S.I. 2006/214; relevant amending instruments are S.I. 2008/3157, 2009/583 and 2010/1941.

(d) S.I. 2006/215; relevant amending instruments are S.I. 2008/3157, 2009/583, 2010/1941, 2010/1172.

- (i) in paragraphs (a) and (b) for “Young People’s Learning Agency for England” substitute “Secretary of State under section 14 of the Education Act 2002” in each place where those words occur, and
- (ii) in paragraph (b)(i) for “Young People’s Learning Agency for England” substitute “Secretary of State under section 14 of the Education Act 2002” and for “bodies” substitute “persons”.

Amendment of the Council Tax Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006

14. In regulation 2(1) (interpretation) of the Council Tax Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006(a) in paragraph (a) of the definition of “training allowance” omit “the Young People’s Learning Agency for England”.

Amendment of the Education (Fees and Awards) (England) Regulations 2007

15.—(1) The Education (Fees and Awards) (England) Regulations 2007(b) are amended as follows.

- (2) In the heading of regulation 9 for “Young People’s Learning Agency for England” substitute “Secretary of State”.
- (3) In regulation 9—
 - (a) for “Young People’s Learning Agency for England” substitute “Secretary of State” in each place where those words occur; and
 - (b) in paragraph (1)—
 - (i) for “it” substitute “that person” in the second place where that word occurs, and
 - (ii) for “sections 61 or” substitute “section 14 of the Education Act 2002 or section”.

Amendment of the Education (Information About Children in Alternative Provision) (England) Regulations 2007

16. In regulation 8 (persons to whom individual information supplied may be passed) of the Education (Information About Children in Alternative Provision) (England) Regulations 2007(c) omit paragraph (h).

Amendment of the School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2007

17.—(1) The School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2007(d) are amended as follows.

- (2) In regulation 5(1) (manner of publication of a competition notice) omit sub-paragraph (d).
- (3) In regulation 10(6) (promotion of public awareness) omit sub-paragraph (f).
- (4) In regulation 13(5) (manner in which local authority or proposers must publish details of proposals) omit sub-paragraph (d).
- (5) In regulation 15(3) (manner in which the local authority or governing body must submit and publish details of the discontinuance proposals) omit sub-paragraph (d).
- (6) In regulation 25(1) (provision for notification of decisions) omit sub-paragraph (d).

(a) S.I. 2006/216; relevant amending instruments are S.I. 2008/3157, 2009/583 and 2010/1941.
 (b) S.I. 2007/779; amended by S.I. 2010/1941; there are other amending instruments but none are relevant.
 (c) S.I. 2007/1065; amended by S.I. 2010/1941; there are other amending instruments but none are relevant.
 (d) S.I. 2007/1288; amended by S.I. 2010/1941; there are other amending instruments but none are relevant.

(7) In paragraphs 25 (project costs) and 54 (project costs) of Schedule 2 and paragraphs 26 (project costs) and 62 (project costs) of Schedule 3 omit “or the Young People’s Learning Agency for England” in each place where those words occur.

Amendment of the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007

18.—(1) The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007(a) are amended as follows.

(2) In paragraphs 5(1)(g) (consultation on proposals), 17(2)(d) (referral to the adjudicator post determination) and 21(10)(c) and (11)(c) (revocation of proposals (after approval)) of Schedule 1 for “Young People’s Learning Agency for England” substitute “Secretary of State” in each place where those words occur.

(3) In paragraph 13 (project costs) of Schedule 3 for “local authority and the Young People’s Learning Agency for England” substitute “and the local authority”.

(4) In paragraphs 27(1)(h) (consultation on proposals) and 33(1)(c) (referral to adjudicator post determination) for “Young People’s Learning Agency for England” substitute “Secretary of State”.

(5) In paragraph 34(1) (provision for notification of decisions) of Schedule 3 omit paragraph (d).

(6) In paragraph 41(10) (revocation of proposals (after approval)) of Schedule 3 omit paragraph (c).

(7) In paragraph 41(11)(c) (revocation of proposals (after approval)) of Schedule 3 for “Young People’s Learning Agency for England” substitute “Secretary of State”

(8) In paragraph 13 (project costs) of Schedule 5 for “local authority and the Young People’s Learning Agency for England” substitute “and the local authority”.

(9) In paragraph 33(1)(c) (referral to adjudicator post determination) of Schedule 5 for “Young People’s Learning Agency for England” substitute “Secretary of State”.

(10) In paragraph 34(1) (provision for notification of decisions) of Schedule 5 omit paragraph (d).

(11) In paragraph 41(9)(c) and (10)(c) (revocation of proposals (after approval) of Schedule 5 for “Young People’s Learning Agency for England” substitute “Secretary of State”.

Amendment of the School Organisation (Transitional Provisions) (England) Regulations 2007

19.—(1) The School Organisation (Transitional Provisions) (England) Regulations 2007(b) are amended as follows.

(2) In regulation 17(1) (provision of information) omit sub-paragraph (d).

(3) In regulation 18(10) (requirement to implement proposals, revocation and modification) omit sub-paragraph (d).

(4) In regulation 28(1) (provision for notification of decisions) omit sub-paragraph (d).

(5) In regulations 29(1)(c) (appeals to adjudicator) and 36(10)(c) and (11)(c) (revocation of proposals (after approval)) for “Young People’s Learning Agency for England” substitute “Secretary of State” in each place where those words occur.

(a) S.I. 2007/1289; amended by S.I. 2010/1941 and 2010/1172; there are other amending instruments but none are relevant.

(b) S.I. 2007/1355; amended by S.I. 2010/1941 and 2010/1172; there are other amending instruments but none are relevant.

Amendment of the Education (Supply of Information about the School Workforce) (No 2) (England) Regulations 2007

20. In regulation 8(2) (persons to whom the Secretary of State may supply information) of the Education (Supply of Information about the School Workforce) (No 2) (England) Regulations 2007(a) omit sub-paragraph (d).

Amendment of the School Organisation (Removal of Foundation, Reduction in Number of Foundation Governors and Ability of Foundation to Pay Debts) (England) Regulations 2007

21. In regulation 7(1)(h) (consultation on proposals) of the School Organisation (Removal of Foundation, Reduction in Number of Foundation Governors and Ability of Foundation to Pay Debts) (England) Regulations 2007(b) for “Young People’s Learning Agency for England” substitute “Secretary of State”.

Amendment of the Employment and Support Allowance Regulations 2008

- 22.—(1) The Employment and Support Allowance Regulations 2008(c) are amended as follows.
- (2) In regulation 2(1) (interpretation) in paragraph (a) of the definition of “training allowance” omit “Young People’s Learning Agency for England”.
- (3) In regulation 14(2) (meaning of education)—
- (a) in paragraphs (a) and (c) for “Young People’s Learning Agency for England” substitute “Secretary of State under section 14 of the Education Act 2002” in each place where those words occur; and
 - (b) in paragraph (c)(i) for “bodies” substitute “persons”.
- (4) In regulation 131(1) (interpretation)—
- (a) in paragraph (d) of the definition of “access funds”—
 - (i) for “Young People’s Learning Agency for England under sections 61 and 62 of the Apprenticeships, Skills, Children and Learning Act 2009” substitute “Secretary of State under section 14 of the Education Act 2002”, and
 - (ii) for “that Act” substitute “the Apprenticeships, Skills, Children and Learning Act 2009”;
 - (b) in the definition of “full-time course of advanced education”—
 - (i) in sub-paragraphs (a) and (b) for “Young People’s Learning Agency for England” substitute “Secretary of State under section 14 of the Education Act 2002” in each place where those words occur, and
 - (ii) in sub-paragraph (b)(i) for “bodies” substitute “persons”; and
 - (c) in the definition of “full-time course of study”—
 - (i) in sub-paragraphs (a) and (b) for “Young People’s Learning Agency for England” substitute “Secretary of State under section 14 of the Education Act 2002” in each place where those words occur, and
 - (ii) in sub-paragraph (b)(i) for “bodies” substitute “persons”.

Amendment of the Education (Individual Pupil Information) (Prescribed Persons) (England) Regulations 2009

23. In regulation 3(5) (prescribed persons) of the Education (Individual Pupil Information) (Prescribed Persons) (England) Regulations 2009(d) omit sub-paragraph (t).

(a) S.I. 2007/2260; amended by S.I. 2010/1941; there are other amending instruments but none are relevant.
(b) S.I. 2007/3475; amended by S.I. 2010/1941; there are other amending instruments but none are relevant.
(c) S.I. 2008/794; amended by S.I. 2009/583 and 2010/1941; there are other amending instruments but none are relevant.
(d) S.I. 2009/1563; amended by S.I. 2010/677, 2010/1940, and 2010/1941.

Amendment of the Apprenticeships, Skills, Children and Learning Act 2009 (Consequential Amendments to Subordinate Legislation)(England) Order 2010

24. Omit articles 8, 13, 20, 21(5), 23, 24 and 25 of the Apprenticeships, Skills, Children and Learning Act 2009 (Consequential Amendments to Subordinate Legislation (England) Order 2010(a)).

26th March 2012

Jonathan Hill
Parliamentary Under Secretary of State
Department for Education

EXPLANATORY NOTE

(This note is not part of the Order)

This Order is made under the Education Act 2011 (“the 2011 Act”). It makes consequential amendments to subordinate legislation necessary as a consequence of the abolition of the Young People’s Learning Agency for England (“YPLA”) by section 66 of the 2011 Act. References to the YPLA are either removed or replaced with references to the Secretary of State, who takes over some of the YPLA’s functions.

An impact assessment has not been produced for this instrument as it has no impact on businesses, the public sector or civil society organisations.

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