STATUTORY INSTRUMENTS

# 2007 No. 3505 (C. 151)

# EDUCATION

## The Further Education and Training Act 2007 (Commencement No. 1 and Transitional Provisions) Order 2007

*Made - - - - 12th December 2007*

The Secretary of State for Innovation, Universities and Skills makes the following Order in exercise of the powers conferred by sections 32(4) and (5) of the Further Education and Training Act 2007(**a**):

**Citation and Interpretation**

**1.**—(1) This Order may be cited as the Further Education and Training Act 2007 (Commencement No. 1 and Transitional Provisions) Order 2007.

(2) In this Order "the 2007 Act" means the Further Education and Training Act 2007.

**Provisions coming into force**

**2.** The following provisions of the 2007 Act come into force on 23rd December 2007:

(a) sections 6 to 8;

(b) sections 11 to 13;

(c) section 17 to the extent that it inserts section 56B into the Further and Higher Education Act 1992;

(d) sections 22 and 23 in relation to England;

(e) section 29 to the extent that it relates to the provisions set out in paragraphs (g) and (h);

(f) section 30 to the extent that it relates to the provisions set out in paragraph (i);

(g) paragraph 6 of Schedule 1 to the extent that it relates to paragraphs 7, 8, 10, 11 and 13 of that Schedule;

(h) paragraphs 7, 8, 10, 11 and 13 of Schedule 1; and

(i) in Schedule 2, the repeal of section 15(2) of the Learning and Skills Act 2000.

**3.** The following provisions of the 2007 Act come into force on 31st January 2008:

(a) section 2 to the extent that it inserts sections 18A(2) to (4) into the Learning and Skills Act 2000;

(b) section 29 to the extent that it relates to the provisions set out in paragraphs (c) and (d);

(c) paragraph 12 of Schedule 1 to the extent that it relates to paragraph 15 of that Schedule; and

(**a**) 2007 (c. 25)

(d) paragraph 15 of Schedule 1 .

**4.** The following provisions of the 2007 Act come into force on 2nd March 2008:

(a) sections 24 and 25;

(b) section 29 to the extent that it relates to the provisions set out in paragraph (d);

(c) section 30 to the extent that it relates to the provisions set out in paragraph (e);

(d) paragraphs 1 to 5 of Schedule 1; and

(e) in Schedule 2, the repeals in relation to the Industrial Training Act 1982.

**5.** Section 17 of the 2007 Act comes into force on 18th April 2008, to the extent that it is not already in force.

**6.** Sections 19 and 20 of the 2007 Act come into force on 1st May 2008.

**Transitional Provision**

**7.** Despite the commencement of the provisions of the 2007 Act set out in article 4, in respect of any levy proposal submitted to him under section 11(1) of the Industrial Training Act 1982 on or before 1 March 2008, the Secretary of State may make a levy order as if those provisions of the 2007 Act had not come into force.

*Bill Ramell*
Minister of State
12th December 2007 Department for Innovation, Universities and Skills

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order is the first Commencement Order made under the Further Education and Training Act 2007 ("the 2007 Act") and brings into force certain provisions of the 2007 Act.

The provisions listed in article 2 come into force on 23rd December 2007.

Paragraphs (a) and (b) of article 2 list provisions in the 2007 Act which come into force in full. Those provisions relate to:

(a) the duties of the Learning and Skills Council for England (the "LSC") in relation to diversity and choice in education and training;

(b) consultation by the LSC when exercising its functions;

(c) plans for academic years;

(d) the provision of services by the LSC; and

(e) the LSC taking part in arrangements made in Wales, Scotland and Northern Ireland for assisting persons to select, train for, obtain and retain employment.

Article 2(c) brings part of section 17 of the 2007 Act (the insertion of section 56B in the Further and Higher Education Act 1992) into force. Section 56B relates to the LSC's statement of its policy on intervention in further education institutions.

Article 2(d) brings sections 22 and 23 of the 2007 Act into force in relation to England. Section 22 relates to consultation by the governing bodies of further education institutions when exercising their functions. Section 23 relates to regulations concerning the qualifications of principals of further education institutions.

Paragraphs (e) to (i) of article 2 commence provisions which amend the Further and Higher Education Act 1992 and which repeal section 15(2) of the Learning and Skills Act 2000.

The provisions listed in article 3 come into force on 31st January 2008. These include part of section 2 of the 2007 Act inserting sections 18A(2) to (4) in the Learning and Skills Act 2000, which relate to the Secretary of State's power to make regulations about regional learning and skills councils.

The provisions listed in article 4 come into force on 2nd March 2008. Sections 24 and 25 of the 2007 Act make amendments to provisions of the Industrial Training Act 1982 relating to levies imposed for industrial training board expenses. The remaining provisions listed in article 4 make related amendments to the Industrial Training Act 1982.

Article 5 brings section 17 of the 2007 Act into force on 18th April 2008, to the extent that it is not already in force pursuant to article 2(c).

Article 6 relates to provisions which enable further education institutions to award foundation degrees and require the Secretary of State to report to Parliament on the effect of those provisions within four years of their commencement. Those provisions come into force on 1st May 2008.

Article 7 provides that, where proposals for industrial training board levy orders were submitted to the Secretary of State before the provisions set out in article 4 came into force, levy orders pursuant to those proposals can be made according to the legislation in force at the time the proposals were submitted.

STATUTORY INSTRUMENTS

# 2007 No. 3505 (C. 151)

# EDUCATION

## The Further Education and Training Act 2007 (Commencement No. 1 and Transitional Provisions) Order 2007

£3.00

© Crown copyright 2007

Printed and published in the UK by The Stationery Office Limited
under the authority and superintendence of Carol Tullo, Controller of Her Majesty's
Stationery Office and Queen's Printer of Acts of Parliament.
E1709 12/2007 171709T 19585