


# Institute for Apprenticeships and Technical Education (Transfer of Functions etc) Act 2025

CHAPTER 14

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# Institute for Apprenticeships and Technical Education (Transfer of Functions etc) Act 2025

**CHAPTER 14**

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# Institute for Apprenticeships and Technical Education (Transfer of Functions etc) Act 2025

**2025 CHAPTER 14**

An Act to transfer the functions of the Institute for Apprenticeships and Technical Education, and its property, rights and liabilities, to the Secretary of State; to abolish the Institute; and to make amendments relating to the transferred functions. [15th May 2025]

BE IT ENACTED by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

*Institute for Apprenticeships and Technical Education: transfer of functions etc*

**1 Transfer of functions**

Schedule 1—

(a) transfers the functions of the Institute for Apprenticeships and Technical Education to the Secretary of State, and

(b) makes minor and consequential amendments.

**2 Transfer of property etc**

Schedule 2 makes provision for transferring the property, rights and liabilities of the Institute for Apprenticeships and Technical Education to the Secretary of State.

**3 Abolition**

(1) The Institute for Apprenticeships and Technical Education is abolished.

(2) Schedule 3 makes consequential amendments.

*Further amendments*

**4 Preparation of standards**

(1) Section ZA11 of the Apprenticeships, Skills, Children and Learning Act 2009 (standards) is amended as follows.

(2) For subsection (3) substitute—

"(3) Each standard must be prepared by a group of persons and approved by the Secretary of State, subject to subsection (3A).

(3A) The Secretary of State may prepare a standard if satisfied that it would be more appropriate for the standard to be prepared by the Secretary of State than by a group of persons."

(3) In subsection (4), for the words from "The group" to "been" substitute "Where a standard is prepared by a group of persons, the group must be".

(4) For subsection (6) substitute—

"(6) The Secretary of State may convene a group of persons to prepare a standard for an occupation if satisfied that—

(a) there is a need for a standard for that occupation, and

(b) no group will prepare the standard unless one is convened to do so."

(5) In subsection (7), after paragraph (a) insert—

"(aa) information about matters that the Secretary of State takes into account in deciding whether it would be more appropriate for a standard to be prepared by the Secretary of State than by a group of persons for the purposes of subsection (3A);".

(6) In section A1 of the Apprenticeships, Skills, Children and Learning Act 2009 (meaning of "approved English apprenticeship" etc), for "approved standard", in each place it occurs, substitute "published standard".

**5 Preparation of apprenticeship assessment plans**

(1) Section A2 of the Apprenticeships, Skills, Children and Learning Act 2009 (apprenticeship assessment plans) is amended as follows.

(2) For subsection (6) substitute—

"(6) Each apprenticeship assessment plan must be prepared by a group of persons and approved by the Secretary of State, subject to subsection (6A).

(6A) The Secretary of State may prepare an apprenticeship assessment plan if satisfied that it would be more appropriate for the plan to be prepared by the Secretary of State than by a group of persons."

(3) In subsection (7), for the words from "The group" to "been" substitute "Where an apprenticeship assessment plan is prepared by a group of persons, the group must be".

(4) For subsection (9) substitute—

"(9) The Secretary of State may convene a group of persons to prepare an apprenticeship assessment plan in respect of a standard if satisfied that—

(a) there is a need for an apprenticeship assessment plan in respect of that standard, and

(b) no group will prepare the plan unless one is convened to do so."

(5) In subsection (10), after paragraph (a) insert—

"(aa) information about matters that the Secretary of State takes into account in deciding whether it would be more appropriate for an apprenticeship assessment plan to be prepared by the Secretary of State than by a group of persons for the purposes of subsection (6A);".

## 6 Reviews

(1) The Apprenticeships, Skills, Children and Learning Act 2009 is amended as follows.

(2) In section A2D8 (reviews of approval of technical education qualifications)—

(a) in subsection (1) omit "at regular intervals";

(b) omit subsection (2).

(3) In section A2E (reviews of published standards and assessment plans)—

(a) in subsection (1) omit "at regular intervals";

(b) omit subsection (2);

(c) in the heading, omit "regular".

## 7 Examinations by independent third parties

(1) Section A2G of the Apprenticeships, Skills, Children and Learning Act 2009 (examinations by independent third parties) is amended as follows.

(2) For subsections (1) and (2) substitute—

"(1) The Secretary of State may at any time make arrangements for an independent third party to carry out an examination of—

(a) a standard, or

(b) an apprenticeship assessment plan."

(3) Omit subsection (4).

### 8 Accreditation of technical education qualifications

(1) Section 138 of the Apprenticeships, Skills, Children and Learning Act 2009 (qualifications subject to Ofqual accreditation) is amended as follows.

(2) After subsection (1) insert—

"(1ZA) But Ofqual may not make a determination under subsection (1) in relation to a technical education qualification within subsection (1A) unless the Secretary of State has notified it that it may do so."

(3) In subsection (1A)—

(a) for the words before paragraph (a) substitute "A technical education qualification is within this subsection if—";

(b) in paragraph (a) for "the qualification" substitute "it".

*Report on Secretary of State's functions*

### 9 Report on exercise of the Secretary of State's functions

(1) Within the period of six months beginning with the day on which section 3 comes into force, the Secretary of State must lay before Parliament, and publish, a report about the exercise of the relevant functions.

(2) The report must include information about—

(a) which of the relevant functions are being exercised through an executive agency known as Skills England, and

(b) the impact of the exercise of the relevant functions on apprenticeships and technical education in England.

(3) In this section "the relevant functions" means the functions conferred or imposed on the Secretary of State by sections 1 and 4 to 7 and Schedule 1.

*Final provisions*

### 10 Power to make consequential provision

(1) The Secretary of State may by regulations make provision that is consequential on this Act.

(2) Regulations under subsection (1) may amend or repeal provision made by an Act passed—

(a) before this Act, or

(b) later in the same session of Parliament as this Act.

(3) Regulations under subsection (1)—

(a) must be made by statutory instrument;

(b) may make transitional or saving provision;

(c) may make different provision for different purposes.

(4) A statutory instrument containing (alone or with other provision) regulations under subsection (1) that amend or repeal provision made by an Act may

not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.

(5) Any other statutory instrument containing regulations under subsection (1) is subject to annulment in pursuance of a resolution of either House of Parliament.

### 11 Extent

(1) This Act extends to England and Wales only, subject to subsections (2) and (3).

(2) Any amendment or repeal made by this Act has the same extent as the provision amended or repealed.

(3) Section 10, this section and sections 12 to 14 extend to England and Wales, Scotland and Northern Ireland.

### 12 Commencement

(1) The following provisions of this Act come into force on such day as the Secretary of State may by regulations appoint—

(a) sections 1 to 8;

(b) Schedules 1 to 3.

(2) The other provisions of this Act come into force on the day on which this Act is passed.

(3) Regulations under subsection (1)—

(a) must be made by statutory instrument;

(b) may make different provision for different purposes.

### 13 Transitional and saving provision

(1) Subsection (2) applies to anything that—

(a) is done (or has effect as if done) by or in relation to the Institute for Apprenticeships and Technical Education ("the Institute") for the purposes of, or otherwise in connection with, a transferred function, and

(b) is in effect immediately before the function is transferred.

(2) Anything to which this subsection applies is to be treated, so far as is necessary for continuing its effect, as done by or in relation to the Secretary of State.

(3) There may be continued by or in relation to the Secretary of State anything (including legal proceedings) which—

(a) relates to a transferred function, and

(b) is in the process of being done by or in relation to the Institute immediately before the function is transferred.

(4) In this section "transferred function" means a function transferred from the Institute to the Secretary of State by this Act.

(5) The Secretary of State may by regulations make further transitional or saving provision in connection with the coming into force of any provision of this Act.

(6) Regulations under subsection (5)—

(a) must be made by statutory instrument;

(b) may make different provision for different purposes.

**14 Short title**

This Act may be cited as the Institute for Apprenticeships and Technical Education (Transfer of Functions etc) Act 2025.

# SCHEDULES

## SCHEDULE 1

Section 1

### TRANSFER OF FUNCTIONS

*Apprenticeships, Skills, Children and Learning Act 2009 (c. 22)*

1 The Apprenticeships, Skills, Children and Learning Act 2009 is amended as follows.

2 In section ZA9 (occupational categories), omit subsection (2).

3 (1) Section ZA10 (mapping of occupational groups) is amended as follows.

(2) For "Institute", in each place it occurs, substitute "Secretary of State".

(3) In subsection (4)—

(a) for "it" substitute "the Secretary of State";

(b) for "its determinations" substitute "a determination".

4 (1) Section ZA11 (standards) is amended as follows.

(2) For "Institute", in each place it occurs, substitute "Secretary of State".

(3) In subsection (7) for "it", in each place it occurs, substitute "the Secretary of State".

(4) In subsection (8), for "it" substitute "the Secretary of State".

5 (1) Section A2 (apprenticeship assessment plans) is amended as follows.

(2) For "Institute", in each place it occurs, substitute "Secretary of State".

(3) In subsection (1), for "it" substitute "the Secretary of State".

(4) In subsection (10) for "it", in each place it occurs, substitute "the Secretary of State".

(5) In subsection (11), for "it" substitute "the Secretary of State".

6 (1) Section A2B (evaluation of quality of apprenticeship assessments) is amended as follows.

(2) In subsections (1) and (3), for "Institute" substitute "Secretary of State".

(3) Omit subsection (4).

7 (1) Section A2C (unsatisfactory apprenticeship assessments) is amended as follows.

(2) For "Institute", in each place it occurs, substitute "Secretary of State".

(3) In subsection (1), for "it" substitute "the Secretary of State".

(4) In subsection (3)—

(a) for "it" substitute "the Secretary of State";

(b) for "the Secretary of State or such other person as" substitute "any person".

8 Omit section A2D (committee to advise on quality evaluations etc).

9 (1) Section A2D2 (categories of technical education qualification) is amended as follows.

(2) For "Institute", in each place it occurs, substitute "Secretary of State".

(3) In subsection (2), for "it", in the first place it occurs, substitute "the Secretary of State".

(4) In subsection (7), for the words after "consult" substitute "such persons as the Secretary of State considers appropriate".

10 (1) Section A2D3 (technical education certificate: approval of technical education qualifications) is amended as follows.

(2) For "Institute", in each place it occurs, substitute "Secretary of State".

(3) In subsection (1), omit ", if it considers it appropriate,".

(4) In subsections (4) and (5), for "it", in each place it occurs, substitute "the Secretary of State".

(5) In subsection (7), for "its" substitute "a".

11 (1) Section A2D4 (additional steps towards occupational competence) is amended as follows.

(2) For "Institute", in each place it occurs, substitute "Secretary of State".

(3) In subsection (1), for "it", in the first place it occurs, substitute "the Secretary of State".

(4) In subsection (4), for "it" substitute "the Secretary of State".

12 (1) Section A2D5 (further powers to approve technical education qualifications) is amended as follows.

(2) For "Institute", in each place it occurs, substitute "Secretary of State".

(3) In subsection (1), omit ", if it considers it appropriate,".

(4) In subsection (2), for "it" substitute "the Secretary of State".

13 (1) Section A2D6 (approved technical education qualifications: approval and withdrawal) is amended as follows.

(2) For "Institute", in each place it occurs, substitute "Secretary of State".

(3) In subsection (1), for "it" substitute "the Secretary of State".

(4) In subsection (4), for "it", in the first place it occurs, substitute "the Secretary of State".

(5) In subsection (6), for "it" substitute "the Secretary of State".

14 (1) Section A2D7 (approved technical education qualifications: publication and fees) is amended as follows.

(2) In subsections (1) and (2), for "Institute", in each place it occurs, substitute "Secretary of State".

(3) In subsection (3), omit the words from "by regulations" to "regulations) to".

(4) After subsection (3) insert—

"(4) The fees are to be determined by or in accordance with regulations made by the Secretary of State."

15 In section A2D8(1) (reviews of approval of technical education qualifications), for "Institute" substitute "Secretary of State".

16 (1) Section A2D9 (moratorium on further approvals under section A2D5) is amended as follows.

(2) For "Institute", in each place it occurs, substitute "Secretary of State".

(3) In subsection (2), for "that it should not" substitute "not to".

(4) In subsections (3) and (5), for "it" substitute "the Secretary of State".

(5) Omit subsection (6).

17 Omit section A2D10 (Secretary of State directions to the Institute).

18 Omit section A2D11 (co-operation between the Institute and Ofqual).

19 In section A2E(1) (regular reviews of published standards and assessment plans) for "Institute" substitute "Secretary of State".

20 In section A2F(1) (revision or withdrawal of published standards and assessment plans) for "Institute" substitute "Secretary of State".

21 In section A2G(3) (examinations by independent third parties)—

(a) for "Institute" substitute "Secretary of State";

(b) for "its" substitute "the Secretary of State's".

22 (1) Section A2H (list of published standards and assessment plans) is amended as follows.

(2) For "Institute", in each place it occurs, substitute "Secretary of State".

(3) In subsection (1), for "it" substitute "the Secretary of State".

23 In section A2HA (list of technical education qualifications), for "Institute", in each place it occurs, substitute "Secretary of State".

24 In section A2I (transfer of copyright in standards and assessment plans), for "Institute", in each place it occurs, substitute "Secretary of State".

25 In section A2IA (transfer of copyright relating to technical education qualifications), for "Institute", in each place it occurs, substitute "Secretary of State".

26 In section A2IB (availability of approved technical education qualifications outside England)—

(a) for "Institute" substitute "Secretary of State";

(b) for "it" substitute "the Secretary of State".

27 In section A12 (interpretation of Chapter A1), in subsection (1)—

(a) for "Institute", in each place it occurs, substitute "Secretary of State";

(b) omit the definition of Ofqual.

28 (1) Section 40AA (sharing of information by or with the Institute) is amended as follows.

(2) In subsection (1), for "Institute for Apprenticeships and Technical Education" substitute "Secretary of State".

(3) Omit subsection (2).

(4) In subsection (3)—

(a) for "Institute", in the first place it occurs, substitute "Secretary of State";

(b) in paragraph (a), for "Institute" substitute "Secretary of State under, or relating to, Chapter A1 of Part 1".

(5) In the heading, for "Institute" substitute "Secretary of State".

29 (1) Section 40AB (sharing of technical education information by or with Ofqual) is amended as follows.

(2) In subsection (3), omit paragraph (a).

(3) In subsection (4)(a), omit "the Secretary of State,".

(4) In subsection (5), in the definition of "technical education function", for "Institute for Apprenticeships and Technical Education" substitute "Secretary of State".

30 (1) Section 122 (sharing of information for education and training purposes) is amended as follows.

(2) In subsection (3), omit paragraph (g).

(3) In subsection (5), omit paragraph (ba).

31 (1) Section 138 (qualifications subject to Ofqual accreditation) is amended as follows.

(2) In subsection (1A)(b)—

(a) for "Institute", in each place it occurs, substitute "Secretary of State";

(b) in sub-paragraph (ii), for "its" substitute "the Secretary of State's".

(3) In subsection (7)—

(a) for "Institute" substitute "Secretary of State";

(b) for "it", in each place it occurs, substitute "the Secretary of State";

(c) for "its" substitute "the Secretary of State's".

(4) In subsection (8), omit the definition of "the Institute".

*Housing and Regeneration Act 2008 (c. 17)*

32 In the Housing and Regeneration Act 2008, in section 194B(9) (references to senior housing and property manager), for "Institute for Apprenticeships and Technical Education" substitute "Secretary of State".

*Enterprise Act 2016 (c. 12)*

33 In the Enterprise Act 2016, in Schedule 4, omit paragraph 7(a) and (b)(ii).

*Technical and Further Education Act 2017 (c.19)*

34 In the Technical and Further Education Act 2017, omit—
(a) section 1(3);
(b) paragraph 14(4) of Schedule 1.

*Skills and Post-16 Education Act 2022 (c. 21)*

35 In the Skills and Post-16 Education Act 2022, omit—
(a) section 9;
(b) section 12(8).

## SCHEDULE 2

Section 2

### TRANSFER OF PROPERTY ETC

1 (1) The Secretary of State may make one or more schemes for the transfer of property, rights and liabilities from the Institute for Apprenticeships and Technical Education ("the Institute") to the Secretary of State.

(2) The things that may be transferred under a transfer scheme under this paragraph include—
(a) property, rights and liabilities that could not otherwise be transferred;
(b) property acquired, and rights and liabilities arising, after the making of the scheme.

(3) A transfer scheme under this paragraph may—
(a) create rights, or impose liabilities, in relation to anything transferred;
(b) make provision about the continuing effect of things done by or in relation to the Institute in respect of anything transferred;
(c) make provision about the continuation of things (including legal proceedings) in the process of being done by or in relation to the Institute in respect of anything transferred;
(d) make provision for references to the Institute in an instrument or other document in respect of anything transferred to be treated as references to the Secretary of State;
(e) make provision which is the same as or similar to the Transfer of Undertakings (Protection of Employment) Regulations 2006 (S.I. 2006/246);
(f) make other consequential, supplementary, incidental or transitional provision.

(4) A transfer scheme may provide for—

(a) modifications by agreement;
(b) modifications to have effect from the date when the original scheme came into effect.

(5) For the purposes of this paragraph—
(a) references to rights and liabilities include rights and liabilities relating to a contract of employment;
(b) references to the transfer of property include the grant of a lease.

(6) For the purposes of sub-paragraph (5)—
(a) an individual who holds employment in the civil service of the State is to be treated as employed by virtue of a contract of employment, and
(b) the terms of the individual's employment in the civil service of the State are to be regarded as constituting the terms of the contract of employment.

## SCHEDULE 3

Section 3

### ABOLITION: CONSEQUENTIAL AMENDMENTS

*Apprenticeships, Skills, Children and Learning Act 2009 (c. 22)*

1 In the Apprenticeships, Skills, Children and Learning Act 2009—
(a) in Part 1, omit Chapter ZA1;
(b) in section 262(6), omit paragraph (aab).

*Superannuation Act 1972 (c.11)*

2 In the Superannuation Act 1972, in Schedule 1, omit the entry for a non-executive member of the Institute for Apprenticeships and Technical Education.

*Freedom of Information Act 2000 (c. 36)*

3 In the Freedom of Information Act 2000, in Part 6 of Schedule 1, omit the entry for the Institute for Apprenticeships and Technical Education.

*Enterprise Act 2016 (c.12)*

4 The Enterprise Act 2016 is amended as follows.

5 Omit section 23.

6 In Schedule 4, omit—
(a) paragraph 2;
(b) paragraphs 8 to 11.

*Technical and Further Education Act 2017 (c. 19)*

7 The Technical and Further Education Act 2017 is amended as follows.

8 Omit section 1(2) and (4).

9 In Schedule 1, omit—

(a) paragraphs 2 to 5;

(b) paragraph 32 to 35.

*Skills and Post-16 Education Act 2022 (c. 21)*

10 In the Skills and Post-16 Education Act 2022, omit—

(a) section 6;

(b) section 12(2) and (9).

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