



Apprenticeships, Skills, Children and Learning Act 2009

2009 CHAPTER 22

PART 1

APPRENTICESHIPS, STUDY AND TRAINING

CHAPTER 1

APPRENTICESHIPS

Apprenticeship frameworks: Wales

18 Welsh issuing authority

- (1) The Welsh Ministers may designate a person to issue apprenticeship frameworks relating to a particular apprenticeship sector.
- (2) The power conferred by this section must be exercised so as to secure that, at any time, only one person is designated by the Welsh Ministers to issue apprenticeship frameworks relating to a particular apprenticeship sector.
- (3) A person designated under this section must, in exercising functions under this Chapter—
 - (a) comply with directions given by the Welsh Ministers;
 - (b) have regard to guidance given by the Welsh Ministers.
- (4) A designation under this section may be amended or revoked by the Welsh Ministers.
- (5) In this Chapter the “Welsh issuing authority”, in relation to an apprenticeship framework, means the person designated under this section to issue frameworks of that description.

19 Issue: Wales

- (1) The Welsh issuing authority may issue an apprenticeship framework only if the authority is satisfied that the framework meets the requirements specified, by the specification of apprenticeship standards for Wales, for recognised Welsh frameworks of that description.
- (2) Recognition of a recognised Welsh framework may be withdrawn—
 - (a) by the Welsh issuing authority, or
 - (b) if there is no Welsh issuing authority in relation to the framework, by the Welsh Ministers.

20 Recognised Welsh frameworks: notification and publication

- (1) On issuing an apprenticeship framework under section 19(1), the Welsh issuing authority must—
 - (a) publish the framework;
 - (b) notify the Welsh Ministers of the issue of the framework.
- (2) A notice given under subsection (1)(b) must be accompanied by a copy of the framework.
- (3) A person who withdraws recognition of an apprenticeship framework under section 19(2) must—
 - (a) publish a notice stating that recognition of the framework has been withdrawn;
 - (b) in the case of withdrawal otherwise than by the Welsh Ministers, notify the Welsh Ministers of the withdrawal.
- (4) Where this section imposes a duty on a person to publish a framework or notice, the publication may be in such manner as the person thinks fit.

21 Submission of draft framework for issue: Wales

- (1) This section applies if a person—
 - (a) submits a draft of an apprenticeship framework to the Welsh issuing authority, and
 - (b) requests that the authority issue a framework in the form of the draft.
- (2) The authority may require the person to provide such information and evidence in connection with the draft as the authority thinks appropriate.
- (3) If the authority decides not to issue a framework in the form of the draft, it must give the person reasons for its decision.

22 Transitional provision: Wales

- (1) The Welsh Ministers may by order provide for an existing vocational specification to be treated, for all purposes or for purposes specified in the order, as if it were an apprenticeship framework issued under section 19(1) that specified requirements for the purpose of the issue of apprenticeship certificates.
- (2) For the purposes of its application in relation to an existing vocational specification that, by virtue of an order under subsection (1), is treated as an apprenticeship

framework issued under section 19(1), this Chapter has effect subject to any modifications specified in the order.

- (3) An order under subsection (1) must—
- (a) specify a date on which the deemed framework is to be treated as being issued under section 19(1);
 - (b) specify a date on which recognition of the deemed framework is to be treated as having been withdrawn under section 19(2);
 - (c) specify a qualification that the deemed framework is to be treated as identifying as the competencies qualification;
 - (d) specify the level and apprenticeship sector that are to be treated as being stated in the deemed framework.
- (4) The date specified under subsection (3)(b) in an order under subsection (1) must be no later than the day after the day that is the school leaving date for 2013.
- (5) In this section—
- “the deemed framework”, in relation to an order under subsection (1), means an existing vocational specification that, by virtue of the order, is treated as being an apprenticeship framework issued under section 19(1);
 - “existing vocational specification” means a specification, prepared before the coming into force of section 19, of training, qualifications and skills appropriate for persons engaging in a particular trade, skill or occupation.
- (6) Nothing in this section limits the powers conferred by section 262.