



Apprenticeships, Skills, Children and Learning Act 2009

2009 CHAPTER 22

PART 8

THE QUALIFICATIONS AND CURRICULUM DEVELOPMENT AGENCY

CHAPTER 4

OTHER FUNCTIONS AND SUPPLEMENTARY PROVISION

Other functions

184 Provision of services or other assistance

- (1) The QCDA may provide services or other assistance in connection with any of the following—
 - (a) qualifications within the QCDA's remit;
 - (b) the curriculum;
 - (c) the early learning goals and educational programmes;
 - (d) assessment arrangements within the QCDA's remit.
- (2) The QCDA may, with the consent of the Secretary of State, also provide services or other assistance which—
 - (a) do not fall within subsection (1), but
 - (b) are otherwise provided in connection with education or training in England.
- (3) The QCDA may not lend money.
- (4) The power under subsection (1) may only be exercised to provide other forms of financial assistance with the consent of the Secretary of State.

Status: This is the original version (as it was originally enacted).

- (5) Services or other assistance provided by virtue of this section may be provided on such terms and subject to such conditions (if any) as the QCDA may determine.
- (6) The QCDA may, with the consent of the Secretary of State, charge a fee for, or in connection with, any service or other assistance provided under this section.
- (7) Any consent of the Secretary of State required under this section may be given—
 - (a) unconditionally or subject to conditions, and
 - (b) generally or specifically.
- (8) Services or other assistance may be provided under this section to any person whether or not in the United Kingdom.
- (9) The powers under subsections (1) and (2) must not be exercised—
 - (a) to assist Ofqual in setting qualifications criteria, or
 - (b) to provide other assistance, information or advice to Ofqual in connection with the performance by Ofqual of any of its qualifications functions.
- (10) In subsection (9) “Ofqual”, “qualifications criteria” and “qualifications functions” have the same meanings as in section 180.

185 Provision of information or advice

- (1) The QCDA must advise the Secretary of State on any additional matters which are referred to it by the Secretary of State.
- (2) An “additional matter” is a matter relating to the provision of education or training in England other than one which may be referred to the QCDA under section 179(2)(b), 181(2)(b), 182(2)(b) or 183(2)(b).
- (3) If requested to do so by the Secretary of State, the QCDA must provide the Secretary of State with information on such matters relating to any of its functions as may be specified in the request.

186 Ancillary activities

- (1) The QCDA must carry out such ancillary activities as the Secretary of State may direct.
- (2) An ancillary activity is an activity which the Secretary of State considers it appropriate for the QCDA to carry out for the purposes of, or in connection with, any of its functions.

187 Co-operation and joint working

- (1) The QCDA may co-operate or work jointly with another public authority where it is appropriate to do so for the efficient and effective performance of any of the QCDA’s functions.
- (2) In this section “public authority” includes any person who performs functions (whether or not in the United Kingdom) which are of a public nature.

188 Power to confer supplementary functions on the QCDA

- (1) The Secretary of State may by order confer supplementary functions on the QCDA.

Status: This is the original version (as it was originally enacted).

- (2) A supplementary function is a function which is to be performed in connection with any of the following—
- (a) qualifications within the QCDA's remit;
 - (b) the curriculum;
 - (c) the early learning goals and educational programmes;
 - (d) assessment arrangements within the QCDA's remit.
- (3) The Secretary of State must consult the QCDA before making an order under this section.

Supplementary provision

189 Directions etc. by the Secretary of State

- (1) The Secretary of State may give the QCDA directions as to the performance of any of its functions.
- (2) The QCDA must, in performing its functions, act in accordance with any plans approved by the Secretary of State.

190 Guidance by the Secretary of State

The QCDA must, in performing its functions, have regard to any guidance given by the Secretary of State.