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**Changes to legislation:** Apprenticeships, Skills, Children and Learning Act 2009, Paragraph 35 is up to date with all changes known to be in force on or before 17 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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## SCHEDULES

### SCHEDULE 12

#### OFQUAL AND THE QCDA: MINOR AND CONSEQUENTIAL AMENDMENTS

##### *Education Act 2002 (c. 32)*

- 35 (1) Section 87 (establishment of the National Curriculum for England by order) is amended as follows.
- (2) In subsection (5) for “published as specified” substitute “ published by a person, and in the manner, specified ”.
- (3) In subsection (7)—
- (a) omit the “and” at the end of paragraph (a);
  - (b) after paragraph (b) insert—
    - “(c) the Qualifications and Curriculum Development Agency, and
    - (d) any other person with whom the Secretary of State has made arrangements in connection with the development, implementation or monitoring of assessment arrangements,”.
- (4) Omit subsection (9).
- (5) In subsection (10) for the words before paragraph (a) substitute “The duties that may be imposed by virtue of subsection (7)(a) or (b) include, in relation to persons exercising any function in connection with the moderation or monitoring of assessment arrangements, the duty to permit them—”.
- (6) For subsection (11) substitute—
- “(11) An order under subsection (3)(c) may authorise a person specified in the order to make delegated supplementary provisions in relation to such matters as may be specified in the order.
  - (12) In this section “delegated supplementary provisions” means such provisions (other than provisions conferring or imposing functions as mentioned in subsection (7)(a) or (b)) as appear to the authorised person to be expedient for giving full effect to, or otherwise supplementing, the provisions made by the order.
  - (13) An order under subsection (3)(c) authorising the making of delegated supplementary provisions may provide that such provisions may be made only with the approval of the Secretary of State.
  - (14) Any delegated supplementary provisions shall, on being published as specified in the order under which they are made, have effect for the purposes of this Part as if made by the order.”

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#### Commencement Information

**II** Sch. 12 para. 35 in force at 1.4.2010 by [S.I. 2010/1151](#), art. 2, [Sch. 1](#)

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**Commencement Orders yet to be applied to the Apprenticeships, Skills, Children and Learning Act 2009**

Commencement Orders bringing provisions within this Act into force:

- [S.I. 2009/3341 art. 2](#) commences (2009 c. 22)
- [S.I. 2010/2413 art. 2](#) commences (2009 c. 22)
- [S.I. 2011/829 art. 2](#) commences (2009 c. 22)
- [S.I. 2011/882 art. 2](#) amendment to earlier commencing SI 2010/303 art. 7 Sch. 6