



Apprenticeships, Skills, Children and Learning Act 2009

2009 CHAPTER 22

PART 7

THE OFFICE OF QUALIFICATIONS AND EXAMINATIONS REGULATION

CHAPTER 3

FUNCTIONS IN RELATION TO ASSESSMENT ARRANGEMENTS

Development etc. of regulated assessment arrangements

159 NC assessment arrangements: duty to consult Ofqual etc.

(1) Section 87 of the [Education Act 2002 \(c. 32\)](#) (establishment of the National Curriculum for England by order) is amended as follows.

(2) Before subsection (7) insert—

- “(6A) Before making an order under subsection (3)(c) the Secretary of State—
- (a) shall consult the Office of Qualifications and Examinations Regulation, and
 - (b) may consult such other persons as the Secretary of State considers appropriate.”

(3) After subsection (8) insert—

- “(8A) An order under subsection (3)(c) which includes provision made by virtue of subsection (8) shall provide that before making or revising the assessment arrangements the person specified in the order—
- (a) shall consult the Office of Qualifications and Examinations Regulation, and

Status: This is the original version (as it was originally enacted).

- (b) may consult such other persons as that person considers appropriate.”
- (4) After subsection (12) (as inserted by paragraph 35 of Schedule 12) insert—
- “(12A) An order under subsection (3)(c) which authorises a person to make delegated supplementary provisions shall provide that before making, amending or revoking any such provisions the person so authorised—
- (a) shall consult the Office of Qualifications and Examinations Regulation, and
 - (b) may consult such other persons as that person considers appropriate.”