

2008 No. 313 (C.12)

EDUCATION, ENGLAND

**The Further Education and Training Act 2007 (Commencement
No. 1) (England) Order 2008**

Made - - - - *11th February 2008*

The Secretary of State for Innovation, Universities and Skills makes the following Order in exercise of the powers conferred by section 32(5) of the Further Education and Training Act 2007^(a):

Citation and Interpretation

1.—(1) This Order may be cited as the Further Education and Training Act 2007 (Commencement No. 1) (England) Order 2008.

(2) In this Order “the 2007 Act” means the Further Education and Training Act 2007.

Provisions coming into force

2. The following provisions of the 2007 Act come into force on 21st February 2008:

- (a) section 1;
- (b) section 3;
- (c) section 4;
- (d) section 5;
- (e) section 29 to the extent that it relates to the provisions set out in paragraphs (g) and (h);
- (f) section 30 to the extent that it relates to the provisions set out in paragraphs (i), (j) and (k);
- (g) paragraph 12 of Schedule 1 to the extent that it is not already in force;
- (h) paragraphs 14 and 16 of Schedule 1;
- (i) in Schedule 2, the repeal of sections 19 to 24 of, and Schedule 2 to, the Learning and Skills Act 2000 and the repeals in relation to Schedule 3 of that Act;
- (j) in Schedule 2, the repeal of section 209 of the Education Act 2002; and
- (k) in Schedule 2, the repeal in relation to section 18 of the Children Act 2004.

3. Section 2 of the 2007 Act, to the extent that it is not already in force, comes into force on 1st September 2008.

11th February 2008

Department for Innovation, Universities and Skills

EXPLANATORY NOTE

(This note is not part of the Order)

This Order is the first England only Commencement Order made under the Further Education and Training Act 2007 (“the 2007 Act”) and brings into force certain provisions of the 2007 Act. There was an earlier UK wide order, SI. 2007/3505, which commenced provisions in relation to England.

The provisions listed in Article 2 come into force on 21st February 2008.

Paragraphs (a) to (d) of Article 2 list provisions in the 2007 Act which come into force in full. Those provisions relate to:

- (a) the minimum membership of the Learning and Skills Council for England (“the LSC”);
- (b) the abolition of local learning and skills councils and the repeal of provisions in the Learning and Skills Act 2000 (“the 2000 Act”) relating to them;
- (c) strategies for functions of the LSC. Section 4 of the 2007 Act inserts section 24A into the 2000 Act which gives the Secretary of State the power to specify by Order an area in England as an area for which a body specified in that Order may formulate a strategy and keep it under review. The strategy will set out how such functions of the LSC as are specified in the Order are to be carried out in relation to the area. Section 4 also inserts section 24B into the 2000 Act which places a duty on the Secretary of State to provide by regulations for the establishment of a body to formulate a strategy, and keep it under review, setting out how such functions of the LSC as are specified by Order are to be carried out in Greater London. Section 4 also inserts section 24C into the 2000 Act which makes provision for the strategies of such bodies to be implemented by the LSC.
- (d) the repeal of the duty on the LSC to establish a young people’s learning committee and an adult learning committee.

Paragraphs (e) to (k) of Article 2 commence the amendments in Schedule 1 to the 2007 Act and the repeals in Schedule 2 to the 2007 Act consequent upon the coming into force of the provisions listed in paragraphs (a) to (d).

Article 3 brings into force section 2 of the 2007 Act to the extent that it is not already in force by inserting sections 18A(1) and (5) and sections 18B and 18C into the 2000 Act. Section 18A(1) places a duty on the LSC to establish a regional learning and skills council for each area of England specified by the Secretary of State. Section 18A(5) relates to the delegation of functions by a regional learning and skills council, with the consent of the LSC, to its staff. Section 18B makes provision about the functions of regional councils and section 18C makes provision for guidance to be given by the LSC to regional councils.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the 2007 Act have been brought into force, or will be brought into force, by commencement order made before the date of this Order:

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 2 (partially)	31.01.2008	2007/3505
Sections 6 to 8 and 11 to 13	23.12.2007	2007/3505
Section 17 (partially)	23.12.2007	2007/3505
Section 17 (fully)	18.04.2008	2007/3505

Sections19 and 20	1.05.2008	2007/3505
Sections 22 and 23 as to England	23.12.2007	2007/3505
Sections 24 and 25	2.03.2008	2007/3505
Section 29 (partially)	23.12.2007	2007/3505
Section 29 (partially)	31.01.2007	2007/3505
Section 29 (partially)	2.03.2008	2007/3505
Section30 (partially)	23.12.2007	2007/3505
Section30 (partially)	2.03.2008	2007/3505
Sch.1 (partially)	23.12.2007	2007/3505
Sch.1 (partially)	31.01.2008	2007/3505
Sch. 1 (partially)	2.03.2008	2007/3505
Sch.2 (partially)	23.12.2007	2007/3505
Sch. 2 (partially)	2.03.2008	2007/3505

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