



Education Act 2002

2002 CHAPTER 32

PART 8

TEACHERS

Sections 132 to 140: general

145 Specification of qualification or course

- (1) A power under sections 132 to 140 to make provision by reference to a specified qualification, a specified course of education or training or a specified programme includes power to make provision—
 - (a) by reference to a class or description of qualification, course or programme;
 - (b) by reference to the institution, or class or description of institution, which awards the qualification or provides the course or programme;
 - (c) which confers discretion on the Secretary of State,^{F1}...^{F2}... the National Assembly for Wales, the Higher Education Funding Council for Wales, the General Teaching Council for Wales or another specified person.
- (2) A discretion under subsection (1)(c) may, in particular, refer to approval or accreditation of a qualification, course, programme or institution.
- (3) Regulations made by virtue of subsection (1) may impose a duty on^{F3}... the Higher Education Funding Council for Wales.

Textual Amendments

- F1** Words in s. 145(1)(c) omitted (1.4.2012) by virtue of [Education Act 2011 \(c. 21\), s. 82\(3\), Sch. 5 para. 17\(a\)](#); S.I. 2012/924, art. 2
- F2** Words in s. 145(1)(c) omitted (1.4.2012) by virtue of [Education Act 2011 \(c. 21\), s. 82\(3\), Sch. 2 para. 19\(4\)](#); S.I. 2012/924, art. 2
- F3** Words in s. 145(3) omitted (1.4.2012) by virtue of [Education Act 2011 \(c. 21\), s. 82\(3\), Sch. 5 para. 17\(b\)](#); S.I. 2012/924, art. 2

Changes to legislation: Education Act 2002, Cross Heading: Sections 132 to 140: general is up to date with all changes known to be in force on or before 11 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

Commencement Information

- I1** S. 145 partly in force; s. 145 not in force at Royal Assent, see s. 216; s. 145 in force for W. at 19.12.2002 by [S.I. 2002/3185, art. 4, Sch. Pt. I](#)
- I2** S. 145 in force at 1.8.2003 except in relation to W. by [S.I. 2003/1667, art. 3](#)

146 Repeal of sections 218 and 218A of Education Reform Act 1988

Sections 218 and 218A of the Education Reform Act 1988 (c. 40) (school and further and higher education regulations) shall cease to have effect.

Commencement Information

- I3** S. 146 in force at 31.3.2003 for specified purposes for W. by [S.I. 2002/3185, art. 5, Sch. Pt. II](#)
- I4** S. 146 in force at 31.3.2003 for specified purposes for W. by [S.I. 2002/3185, art. 5, Sch. Pt. II](#)
- I5** S. 146 in force at 1.6.2003 for specified purposes except in relation to W. by [S.I. 2003/1115, art. 3](#)
- I6** S. 146 in force at 1.8.2003 for specified purposes except in relation to W. by [S.I. 2003/1667, art. 3](#) (with [Sch. para ss. 2, 3](#))
- I7** S. 146 in force at 1.9.2003 for specified purposes except in relation to W. by [S.I. 2003/1667, art. 4](#)
- I8** S. 146 in force at 1.10.2003 for specified purposes except in relation to W. by [S.I. 2003/1667, art. 5](#)
- I9** S. 146 in force at 6.11.2006 so far as not already in force except in relation to W. by [S.I. 2006/2895, art. 2](#)
- I10** S. 146 in force at 2.1.2008 for W. so far as not already in force by [S.I. 2007/3611, art. 4\(1\), Sch. Pt. 1](#) (with [Sch. Pt paras. 2, 3](#))

Changes to legislation:

Education Act 2002, Cross Heading: Sections 132 to 140: general is up to date with all changes known to be in force on or before 11 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.

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing SI 2003/1667 Sch. para. 1 by [S.I. 2004/571 Sch.](#)
- specified provision(s) amendment to earlier commencing SI 2003/1667 Sch. para. 1A and 2 by [S.I. 2005/2570 art. 2](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 27(1A) inserted by [2010 c. 26 s. 4\(1\)](#)
- s. 29(2A)-(2D) inserted by [2009 c. 22 s. 260\(4\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 250 omitted (1.9.2012) by virtue of 2011 c. 21, s. 29(9)(d); S.I. 2012/1087, art. 3)
- s. 29B inserted by [2008 c. 25 s. 157](#)
- s. 8585A substituted for s. 85 by [2006 c. 40 s. 74\(1\)](#)
- s. 85A amendment to earlier affecting provision 2006 c. 40 s. 74(1) by [2011 c. 21 s. 31\(2\)](#)
- s. 85A(5) words substituted by [2009 c. 22 Sch. 12 para. 34](#)
- s. 86(1) s. 86 renumbered as s. 86(1) by [2006 c. 40 s. 74\(2\)\(c\)](#)
- s. 86(2) inserted by [2006 c. 40 s. 74\(2\)\(c\)](#)
- s. 88(2)-(7) inserted by [2006 c. 40 s. 74\(3\)](#)
- s. 88(7) repealed by [S.I. 2010/1080 Sch. 1 para. 45Sch. 2 Pt. 1](#) (This amendment not applied to [legislation.gov.uk](#). The insertion of s. 88(2)-(7) by 2006 c. 40, s 74(3) was repealed without ever being brought into force.)
- s. 142(9)(b) words substituted by [S.I. 2010/1158 Sch. 2 para. 11\(10\)\(b\)](#)
- s. 210A inserted by [2008 c. 25 Sch. 1 para. 79](#)