

*Status: This version of this provision is prospective.*

*Changes to legislation: Skills and Post-16 Education Act 2022, Section 21 is up to date with all changes known to be in force on or before 07 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*



# Skills and Post-16 Education Act 2022

## 2022 CHAPTER 21

### PART 3

#### PROTECTION FOR LEARNERS

#### CHAPTER 1

##### REGULATION OF POST-16 EDUCATION OR TRAINING PROVIDERS

##### *Funding arrangements with post-16 education or training providers*

PROSPECTIVE

#### **21 Funding arrangements: interpretation**

(1) This section applies for the interpretation of sections 19, 20 and this section.

(2) In those sections—

“approved technical education qualification” and “approved steps towards occupational competence” have the same meanings as in section 100 of the Apprenticeships, Skills, Children and Learning Act 2009;

“combined authority” means a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009;

“English statutory apprenticeship” has the meaning given by section 40A(3) of the Apprenticeships, Skills, Children and Learning Act 2009;

“further education” has the same meaning as in the Education Act 1996 (see section 2 of that Act);

“higher education” has the meaning given by section 579(1) of the Education Act 1996;

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“institution within the further education sector” has the same meaning as in the Further and Higher Education Act 1992 (see section 91(3) of that Act);

“local authority in England” has the same meaning as in the Education Act 1996 (see sections 579(1) and 581 of that Act);

“post-16 education or training provider” means an institution or person who provides or intends to provide relevant education or training for persons over compulsory school age;

“registered higher education provider” has the same meaning as in Part 1 of the Higher Education and Research Act 2017 (see section 3(10) of that Act);

“relevant education or training” has the meaning given by section 19(3);

“relevant provider” has the meaning given by section 19(2);

“responsible body” means—

- (a) in relation to a school or a 16 to 19 Academy, the proprietor (within the meaning given by section 579(1) of the Education Act 1996);
- (b) in relation to an institution within the further education sector, the governing body (within the meaning given by section 90(1) of the Further and Higher Education Act 1992);
- (c) in relation to a registered higher education provider, the governing body (within the meaning given by section 85(1) of the Higher Education and Research Act 2017);

“school” has the same meaning as in the Education Act 1996 (see section 4 of that Act).

(3) In the following provisions, references to a provider include references to a person having general control and management of, or legal responsibility and accountability for, a provider—

- (a) [section 19\(7\)\(a\), \(b\), \(d\) and \(e\)](#);
- (b) [section 20\(2\) to \(4\)](#) where the reference is to entering into relevant funding arrangements, or a relevant sub-contract, with a provider;
- (c) [section 20\(5\)\(a\)](#);
- (d) [section 20\(8\)](#);
- (e) [section 20\(9\)](#).

#### **Commencement Information**

**II** S. 21 not in force at Royal Assent, see [s. 36\(3\)](#)

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**Changes and effects yet to be applied to :**

- s. 21(2) words inserted by [2023 c. 55 Sch. 4 para. 224](#)

**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. 19(2)(ga) inserted by [2023 c. 55 Sch. 4 para. 222](#)
- s. 20(7)(ca) inserted by [2023 c. 55 Sch. 4 para. 223](#)