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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into force on 1st April 2012 and 1st May 2012 certain provisions of the Education Act 2011 as listed in Articles 2 and 3 respectively.

By section 82(6) of that Act, before making an order bringing section 14 to 17 into force, the Secretary of State must obtain the consent of the Welsh Ministers, and that consent has been obtained.

Those provisions listed in Article 2 are: sections 2 and 3 which make further provision for staff at schools and further education institutions in England to search pupils and students respectively; sections 7 to 12 and Schedules 2 and 3 which are concerned with the abolition of the General Teaching Council for England; sections 14 to 17 and Schedules 5 and 6 which provide for the abolition of the Training and Development Agency for Schools; section 21 and Schedule 7 which make provision for the chief executive of the Office of Qualifications and Examinations Regulation (Ofqual) to be known as the Chief Regulator of Qualifications and Examinations (“the Chief Regulator”) and for the chair of Ofqual no longer to be known as the Chief Regulator; sections 25 to 27 and Schedule 8 (fully) and Schedule 9 which are concerned with the abolition of the Qualifications and Curriculum Development Agency; section 49 and Schedule 12 which make amendments in relation to further education corporations and sixth form college corporations; section 53 (fully) and section 54 and Schedule 13 (partially) which make provision for 16 to 19 and alternative provision Academies; section 57 which makes amendments to the Academies Act 2010 regarding a federated school application for an Academy order; and sections 66 to 68 and Schedules 16 and 17 which are concerned with the abolition of the Young People’s Learning Agency for England. Section 71 makes changes relating to the certifying authority for apprenticeship certificates and section 72 makes provision regarding consultation by the Chief Executive of Skills Funding in connection with matters related to the performance of any of the functions of the office. Section 73 is only partially commenced by this Order and repeals sections 112 to 114 of the Apprenticeships, Skills, Children and Learning Act 2009.

Article 3 brings sections 23 and 24 into force on 1st May 2012. Section 23 amends Part 7 of the Apprenticeships, Skills, Children and Learning Act 2009 in relation to the enforcement powers of Ofqual, while section 24 amends Chapter 2 of Part 5 of the Education Act 1997 in relation to the enforcement powers of Welsh Ministers in relation to qualifications.

Articles 4 and 5 make transitional provisions in respect of and in relation to persons who hold the posts of chief executive of Ofqual and Chief Regulator on 1st April 2012; Article 6 in relation to proposals for the dissolution of a sixth form college corporation under section 33N of the Further and Higher Education Act 1992; and Article 7 in relation to proposals to dissolve a further education corporation under section 27 of that Act.