

## SCHEDULE

### Transitional Provision

## PART 2

### Transitional provision relating to the commencement of section 3 of and Schedule 1 to the Act

#### **Interpretation**

**2.** In this Part—

“the 2009 Act” means the Apprenticeships, Skills, Children and Learning Act 2009;

“commencement date” means 26th May 2015;

“the saved provisions” means the following provisions of the 2009 Act as they have effect immediately before the commencement date—

- (a) section 1 (meaning of “completing an English apprenticeship”);
- (b) sections 3 to 6 (apprenticeship certificates: England);
- (c) sections 13 to 15 and 17 (apprenticeship frameworks: England);
- (d) sections 24 to 27 (specification of apprenticeship standards: England);
- (e) sections 11, 12, 32 to 36, 38(1) and 39 to the extent that they apply in connection with the provisions mentioned in paragraphs (a) to (d).

#### **General saving**

**3.** Despite Part 2 of Schedule 1 to the Act, the saved provisions, and any subordinate legislation made under them, continue to have effect on and after the commencement date; subject to—

- (a) the provision made by paragraph 4 for the phasing out of apprenticeship frameworks, and
- (b) the modifications made by paragraphs 5 to 8.

#### **Phasing out of apprenticeship frameworks**

**4.—(1)** This paragraph applies where, in consequence of the publication of one or more standards under section A2 of the 2009 Act, an apprenticeship framework issued under section 14(1) of that Act is withdrawn under section 14(2).

(2) An apprenticeship framework may not be issued under section 14(1) of the 2009 Act in relation to a skill, trade or occupation to which the withdrawn framework related (whether or not the standard published under section A2 of that Act or, as the case may be, any of the standards published under that section, are subsequently revised or withdrawn).

#### **Modifications of the saved provisions**

**5.** Section 15 of the 2009 Act has effect as if subsections (1)(b), (2) and (3)(b) were omitted.

**6.** Section 24(1) of that Act has effect as if the words from “Where” to “section 23,” and paragraphs (a) and (b) were omitted.

**7.** Section 25 of that Act has effect as if—

- (a) subsections (1) and (2) were omitted, and

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(b) in subsection (3), the words from “Where” to “subsection (1),” and the word “those” were omitted.

8. Section 38(1) of that Act has effect as if for “must” there were substituted “may”.

### **Trailblazer apprenticeships**

9.—(1) Sub-paragraph (2) applies where a person—

- (a) begins work under a Trailblazer apprenticeship before the commencement date, and
- (b) continues to work under the apprenticeship for any period on or after the commencement date.

(2) Any work done under the apprenticeship is to be treated as having been done under an approved English apprenticeship (within the meaning of Chapter A1 of Part 1 of the 2009 Act).

(3) For the purposes of this paragraph, a person works under a Trailblazer apprenticeship if arrangements made by the Secretary of State and known as Trailblazer apprenticeships apply in relation to the work.

10.—(1) Sub-paragraph (2) applies where—

- (a) a standard is published by the Secretary of State before the commencement date, and
- (b) the standard is in connection with work under a Trailblazer apprenticeship that falls to be treated by virtue of paragraph 9 as work done under an approved English apprenticeship.

(2) The standard is to be treated for the purposes of Chapter A1 of Part 1 of the 2009 Act as an approved apprenticeship standard published under section A2 of that Act in relation to the approved English apprenticeship.