

NATIONAL ASSEMBLY FOR WALES

**SUBORDINATE
LEGISLATION**

2006 No. 81

EDUCATION, WALES

**Learning and Skills Act 2000
Statutory Approval of
Qualifications Under Section 99
for the Purposes of Section 96
and 97**

Made 30 November 2006

Coming into force 1 December 2006

EXPLANATORY NOTE

(This note is not part of the Order)

Section 96 of the Learning and Skills Act 2000 (“the Act”) applies to external qualifications provided by or on behalf of a school or institution or employer for pupils of compulsory school age or above such age but under the age of 19. Unless such qualifications have been approved under section 99 of the Act a course leading to such a qualification cannot be funded by an “authorised body” or provided by or on behalf of a maintained school.

Authorised bodies for these purposes are defined in section 100(2) of the Act. Presently they are the National Assembly for Wales and local education authorities.

Section 97 of the Act applies to a course of education or training provided by an institution or employer for persons aged 19 years and over which leads to an external qualification. Section 97 of the Act places a requirement on the National Assembly for Wales and local education authorities in Wales to ensure that public funding is only used to make payments for fees and charges in respect of external qualifications which are approved.

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This Instrument approves external qualifications under section 99 of the Act.

Application and status

This Instrument is to come into force on 1 December 2006. From that date the external qualifications referred to below are approved under section 99 of the Learning and Skills Act 2000 for the purposes of sections 96 and 97 of that Act. These approved external qualifications replace those approved in July 2006.

Section 99 of the Learning and Skills Act 2000 provides for qualifications to be approved either generally or in relation to particular cases. Qualifications that are approved in relation to particular cases are listed at new.wales.gov.uk/topics/educationandskills/?lang=en. The following categories of qualifications are approved generally:

- (a) any qualification from which approval has now been withdrawn, provided the learner taking the associated course has previously been entered for the examination (or assessment) prior to that withdrawal and

the course is only intended to enable them to re-enter;

(b) for those up to and including Key Stage 4, an external qualification, regardless of subject or listing, if the associated course of study is provided

i. wholly outside school timetabled hours; and/or

ii. in primary schools.

(c) all qualifications offered by the Scottish Qualifications Authority.

(d) Asset Languages qualifications for Modern Foreign Languages that are approved by the Department for Education and Skills for use in England, are also approved for use in Wales.

Signed Jane Davidson

Date: 30/11/06

Minister for Education, Lifelong Learning and Skills