



Education and Skills Act 2008

2008 CHAPTER 25

PART 1

DUTY TO PARTICIPATE IN EDUCATION OR TRAINING: ENGLAND

CHAPTER 6

MISCELLANEOUS

62 Crown employment

- (1) For the purposes of section 5—
 - (a) Crown employment, and
 - (b) service as a member of the armed forces of the Crown,are each to be treated as working under a contract of employment.
- (2) Regulations may provide for Chapter 1 to have effect subject to modifications in relation to persons working in either of those ways.
- (3) Chapter 3 applies in relation to Crown employment and persons in Crown employment as it applies in relation to other employment and other employees, but subject to subsection (4).
- (4) For the purposes of the application of Chapter 3 in relation to Crown employment and persons in Crown employment—
 - (a) references to a contract of employment are to be construed, in relation to a person in Crown employment, as references to the terms and conditions under which the person works, and
 - (b) references to an employee are to be construed as references to a person in Crown employment.

Changes to legislation: Education and Skills Act 2008, Section 62 is up to date with all changes known to be in force on or before 24 April 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

- (5) In this section, “Crown employment” means employment under or for the purposes of a government department or any officer or body exercising on behalf of the Crown functions conferred by statutory provision, but subject to subsection (6).
- (6) Crown employment—
- (a) does not include service as a member of the armed forces of the Crown, but
 - (b) does include employment by an association established for the purposes of Part 11 of the Reserve Forces Act 1996 (c. 14).

Commencement Information

II S. 62(1)(2)(5)(6) in force at 28.6.2013 by [S.I. 2013/1204](#), [art. 2\(r\)](#)

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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. 91(3)(c) inserted by [2022 asc 1 Sch. 4 para. 22\(3\)](#)