



Apprenticeships, Skills, Children and Learning Act 2009

2009 CHAPTER 22

PART 1

APPRENTICESHIPS, STUDY AND TRAINING

[^{F1}CHAPTER 1

[^{F1}APPRENTICESHIPS: WALES]

Apprenticeship agreements: ^{F1}... Wales

[^{F1}32 Meaning of “apprenticeship agreement”

- (1) In this Chapter, “apprenticeship agreement” means an agreement in relation to which each of the conditions in subsection (2) is satisfied.
- (2) The conditions are—
 - (a) that a person (the “apprentice”) undertakes to work for another (the “employer”) under the agreement;
 - (b) that the agreement is in the prescribed form;
 - (c) that the agreement states that it is governed by the law of England and Wales;
 - (d) that the agreement states that it is entered into in connection with a qualifying apprenticeship framework.
- (3) The power conferred by subsection (2)(b) may be exercised, in particular—
 - (a) to specify provisions that must be included in an apprenticeship agreement;
 - (b) to specify provisions that must not be included in an apprenticeship agreement;
 - (c) to specify all or part of the wording of provisions that must be included in an apprenticeship agreement.

Changes to legislation: *Apprenticeships, Skills, Children and Learning Act 2009, Section 32 is up to date with all changes known to be in force on or before 07 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*

- (4) Where an agreement states that it is entered into in connection with an apprenticeship framework (“the relevant framework”) that is not a qualifying apprenticeship framework, subsection (2)(d) is to be taken to be satisfied in relation to the agreement if—
- (a) at a time within the period of three years ending with the date of the agreement, the relevant framework was a qualifying apprenticeship framework;
 - (b) at the date of the agreement, the apprentice has not completed the whole of a course of training for the competencies qualification identified in the relevant framework,
 - (c) before the date of the agreement, the apprentice entered into an apprenticeship agreement (“the earlier agreement”) which stated that it was entered into in connection with the relevant framework, and
 - (d) at the date of the earlier agreement, the relevant framework was a qualifying apprenticeship framework.
- (5) In subsection (4)(b), the reference to a course of training for the competencies qualification is to be read, in a case where the person follows two or more courses of training for the competencies qualification, as a reference to both or all of them.
- (6) An apprenticeship framework is a “qualifying apprenticeship framework”, for the purposes of this section, if it is—
- ^{F2}(a)
 - (b) a recognised Welsh framework.]

Textual Amendments

- F1** Ss. A9, A10 inserted (4.7.2016) by [Enterprise Act 2016 \(c. 12\)](#), **ss. 24(1)**, 44(2)(c)
- F2** S. 32(6)(a) omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), s. 115(7), **Sch. 1 para. 14**; [S.I. 2015/994](#), **art. 6(a)** (with [Sch. Pt. 2](#))
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Commencement Information

- I1** S. 32 in force at 6.4.2011 for E. by [S.I. 2011/200](#), **art. 3**
- I2** S. 32 in force at 1.8.2011 for W. by [S.I. 2011/200](#), **art. 4**

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Changes and effects yet to be applied to :

- s. 28-36 omitted by [2022 asc 1 Sch. 4 para. 24\(2\)\(d\)](#)

Commencement Orders yet to be applied to the Apprenticeships, Skills, Children and Learning Act 2009

Commencement Orders bringing provisions within this Act into force:

- [S.I. 2009/3341 art. 2](#) commences [\(2009 c. 22\)](#)
- [S.I. 2010/2413 art. 2](#) commences [\(2009 c. 22\)](#)
- [S.I. 2011/829 art. 2](#) commences [\(2009 c. 22\)](#)
- [S.I. 2011/882 art. 2](#) amendment to earlier commencing [SI 2010/303 art. 7 Sch. 6](#)