



# Apprenticeships, Skills, Children and Learning Act 2009

## 2009 CHAPTER 22

### PART 4

#### [<sup>F1</sup>APPRENTICESHIPS AND ADULT EDUCATION AND TRAINING: ROLE OF SECRETARY OF STATE]

#### CHAPTER 1

#### [<sup>F1</sup>APPRENTICESHIPS AND ADULT EDUCATION AND TRAINING]

*Apprenticeship training for persons aged 16 to 18 and certain young adults*

#### 83 [<sup>F1</sup>Power to secure provision of apprenticeship training]

- (1) The [<sup>F2</sup>Secretary of State] may secure the provision of facilities for suitable apprenticeship training for persons—
  - (a) who are over compulsory school age but under 19, or
  - (b) who are aged 19 or over but under 25 and [<sup>F3</sup>for whom an EHC plan is maintained] .
- (2) In deciding for the purposes of subsection (1) whether apprenticeship training is suitable for persons for whom facilities are provided, the [<sup>F2</sup>Secretary of State] must have regard (in particular) to—
  - (a) the persons' ages, abilities and aptitudes,
  - (b) any [<sup>F4</sup>special educational needs] the persons may have,
  - (c) the quality of the training,
  - (d) the locations and times at which the training is provided.
- (3) In exercising the power conferred by subsection (1), the [<sup>F2</sup>Secretary of State] must have regard (in particular) to the desirability of—

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*Changes to legislation: Apprenticeships, Skills, Children and Learning Act 2009, Section 83 is up to date with all changes known to be in force on or before 18 March 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*

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- (a) encouraging diversity of apprenticeship training available to persons;
- (b) increasing opportunities for persons to exercise choice;
- (c) enabling persons to whom Part 1 of the Education and Skills Act 2008 (c. 25) applies to fulfil the duty imposed by section 2 of that Act (duty to participate in education or training).

<sup>F5</sup>(4) .....

- (5) In this Part “apprenticeship training” means training provided in connection with—
- [<sup>F6</sup>(a) an approved English apprenticeship, or
  - (b) any contract of service (other than an approved English apprenticeship agreement) or contract of apprenticeship.]

#### Textual Amendments

- F1** S. 83 heading substituted (1.9.2012) by [Education Act 2011 \(c. 21\)](#), s. 82(3), **Sch. 18 para. 5**; S.I. 2012/1087, art. 3
- F2** Words in s. 83(1)–(3) substituted (26.5.2015) by [Deregulation Act 2015 \(c. 20\)](#), s. 115(3)(g), **Sch. 14 para. 4**
- F3** Words in s. 83(1)(b) substituted (1.9.2014) by [Children and Families Act 2014 \(c. 6\)](#), s. 139(6), **Sch. 3 para. 89(a)**; S.I. 2014/889, art. 7(a)
- F4** Words in s. 83(2)(b) substituted (1.9.2014) by [Children and Families Act 2014 \(c. 6\)](#), s. 139(6), **Sch. 3 para. 89(b)**; S.I. 2014/889, art. 7(a)
- F5** S. 83(4) omitted (1.9.2014) by virtue of [Children and Families Act 2014 \(c. 6\)](#), s. 139(6), **Sch. 3 para. 89(c)**; S.I. 2014/889, art. 7(a)
- F6** S. 83(5)(a)(b) substituted for s. 83(5)(a)–(c) (26.5.2015) by [Deregulation Act 2015 \(c. 20\)](#), s. 115(7), **Sch. 1 para. 17**; S.I. 2015/994, art. 6(a) (with Sch. Pt. 2)

#### Commencement Information

- I1** S. 83 in force at 1.4.2010 by S.I. 2010/303, art. 3, **Sch. 2** (with arts. 9-11)

**Changes to legislation:**

Apprenticeships, Skills, Children and Learning Act 2009, Section 83 is up to date with all changes known to be in force on or before 18 March 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.

[View outstanding changes](#)

**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