



# 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]

#### *Education and training for persons aged 19 or over etc.*

#### **86 Education and training for persons aged 19 or over and others subject to adult detention**

- (1) [<sup>F1</sup>The Secretary of State must secure the provision of such facilities as the Secretary of State considers appropriate] for—
- (a) education suitable to the requirements of persons who are aged 19 or over, other than persons aged under 25 [<sup>F2</sup>for whom an EHC plan is maintained] ,
  - (b) education suitable to the requirements of persons who are subject to adult detention, and
  - (c) training suitable to the requirements of persons within paragraphs (a) and (b).
- (2) This section does not apply to the provision of facilities to the extent that section [<sup>F3</sup>83A or] 87 applies to the provision of those facilities.

<sup>F4</sup>(3) .....

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

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*Changes to legislation: Apprenticeships, Skills, Children and Learning Act 2009, Section 86 is up to date with all changes known to be in force on or before 15 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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- (5) For the purposes of this section a reference to the provision of facilities for education or training (except so far as relating to facilities for persons subject to adult detention) includes a reference to the provision of facilities for organised leisure-time occupation in connection with education or (as the case may be) training.
- (6) For the purposes of this section—  
“education” includes full-time and part-time education;  
“training” includes—  
(a) full-time and part-time training;  
(b) vocational, social, physical and recreational training;  
(c) apprenticeship training.
- (7) In this Part, “organised leisure-time occupation” means leisure-time occupation, in such organised cultural training and recreational activities as are suited to the requirements of persons who fall within subsection (1)(a) or (b), for any such persons who are able and willing to profit by facilities provided for that purpose.

<sup>F6</sup>(8) . . . . .

#### Textual Amendments

- F1** Words in s. 86(1) substituted (26.5.2015) by [Deregulation Act 2015 \(c. 20\)](#), s. 115(3)(g), **Sch. 14 para. 9(2)**
- F2** Words in s. 86(1)(a) substituted (1.9.2014) by [Children and Families Act 2014 \(c. 6\)](#), s. 139(6), **Sch. 3 para. 90**; S.I. 2014/889, art. 7(a)
- F3** Words in s. 86(2) inserted (1.9.2012) by [Education Act 2011 \(c. 21\)](#), s. 82(3), **Sch. 18 para. 7**; S.I. 2012/1087, art. 3
- F4** S. 86(3) omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), s. 115(3)(g), **Sch. 14 para. 9(3)**
- F5** S. 86(4) omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), s. 115(3)(g), **Sch. 14 para. 9(3)**
- F6** S. 86(8) omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), s. 115(3)(g), **Sch. 14 para. 9(3)**

#### Modifications etc. (not altering text)

- C1** Ss. 86-88 applied (with modifications) (6.11.2018) by [The Tees Valley Combined Authority \(Adult Education Functions\) Order 2018 \(S.I. 2018/1145\)](#), arts. 1(1), 6, **Sch.** (with art. 1(2))
- C2** Ss. 86-88 applied (with modifications) (6.11.2018) by [The Liverpool City Region Combined Authority \(Adult Education Functions\) Order 2018 \(S.I. 2018/1142\)](#), arts. 1(1), 6, **Sch.** (with art. 1(2))
- C3** Ss. 86-88 applied (with modifications) (6.11.2018) by [The Cambridgeshire and Peterborough Combined Authority \(Adult Education Functions\) Order 2018 \(S.I. 2018/1146\)](#), arts. 1(1), 6, **Sch.** (with art. 1(2))
- C4** S. 86: transfer of functions (6.11.2018) by [The Liverpool City Region Combined Authority \(Adult Education Functions\) Order 2018 \(S.I. 2018/1142\)](#), arts. 1(1), **3** (with arts. 1(2), 5)
- C5** Ss. 86-88 applied (with modifications) (6.11.2018) by [The West of England Combined Authority \(Adult Education Functions\) Order 2018 \(S.I. 2018/1143\)](#), arts. 1(1), 6, **Sch.** (with art. 1(2))
- C6** S. 86: transfer of functions (6.11.2018) by [The West of England Combined Authority \(Adult Education Functions\) Order 2018 \(S.I. 2018/1143\)](#), arts. 1(1), **3** (with arts. 1(2), 5)
- C7** S. 86: transfer of functions (6.11.2018) by [The West Midlands Combined Authority \(Adult Education Functions\) Order 2018 \(S.I. 2018/1144\)](#), arts. 1(1), **3** (with arts. 1(2), 5)
- C8** S. 86: transfer of functions (6.11.2018) by [The Cambridgeshire and Peterborough Combined Authority \(Adult Education Functions\) Order 2018 \(S.I. 2018/1146\)](#), arts. 1(1), **3** (with arts. 1(2), 5)

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- C9** Ss. 86-88 applied (with modifications) (6.11.2018) by The Greater Manchester Combined Authority (Adult Education Functions) Order 2018 (S.I. 2018/1141), arts. 1(1), 6, **Sch.** (with art. 1(2))
- C10** S. 86: transfer of functions (6.11.2018) by The Greater Manchester Combined Authority (Adult Education Functions) Order 2018 (S.I. 2018/1141), arts. 1(1), **3** (with arts. 1(2), 5)
- C11** S. 86: transfer of functions (6.11.2018) by The Tees Valley Combined Authority (Adult Education Functions) Order 2018 (S.I. 2018/1145), arts. 1(1), **3** (with arts. 1(2), 5)
- C12** Ss. 86-88 applied (with modifications) (6.11.2018) by The West Midlands Combined Authority (Adult Education Functions) Order 2018 (S.I. 2018/1144), arts. 1(1), 6, **Sch.** (with art. 1(2))
- C13** Ss. 86-88 applied (with modifications) (5.11.2019) by The Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority (Adult Education Functions) Order 2019 (S.I. 2019/1457), arts. 1(1), 6, **Sch.** (with art. 1(2))
- C14** S. 86: transfer of functions (5.11.2019) by The Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority (Adult Education Functions) Order 2019 (S.I. 2019/1457), arts. 1(1), **3** (with arts. 1(2), 5)
- C15** S. 86: transfer of functions (28.7.2020) by The Barnsley, Doncaster, Rotherham and Sheffield Combined Authority (Functions and Amendment) Order 2020 (S.I. 2020/806), arts. 1, **6(1)(a)(2)(3)** (with art. 8)
- C16** Ss. 86-88 applied (with modifications (28.7.2020) by The Barnsley, Doncaster, Rotherham and Sheffield Combined Authority (Functions and Amendment) Order 2020 (S.I. 2020/806), arts. 1, 9, **Sch. 1**
- C17** Ss. 86-88 applied (with modifications) (E.) (30.1.2021) by The West Yorkshire Combined Authority (Election of Mayor and Functions) Order 2021 (S.I. 2021/112), arts. 1(2), 9, **Sch. 1**
- C18** S. 86: transfer of functions (E.) (with application in accordance with art. 1(5)(6) of the amending S.I.) by The West Yorkshire Combined Authority (Election of Mayor and Functions) Order 2021 (S.I. 2021/112), arts. 1(2), **6(1)(a)(2)(3)** (with art. 8)

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#### Commencement Information

- II** S. 86 in force at 1.4.2010 by S.I. 2010/303, art. 3, **Sch. 2** (with arts. 9-11)

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**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