

*Draft Order laid before Parliament under section 112(3) of the Deregulation Act 2015, for approval
by resolution of each House of Parliament.*

DRAFT STATUTORY INSTRUMENTS

2015 No. XXXX

EMPLOYMENT AND TRAINING, ENGLAND

**The English Apprenticeships (Consequential
Amendments to Primary Legislation) Order 2015**

Made - - - - *****

Coming into force in accordance with article 1

The Secretary of State makes the following Order in exercise of the powers conferred by section 112(1) and (2) of the Deregulation Act 2015(1).

A draft of this Order was laid before Parliament in accordance with section 112(3) of that Act and approved by resolution of each House of Parliament.

Citation and commencement

1. This Order may be cited as the English Apprenticeships (Consequential Amendments to Primary Legislation) Order 2015 and comes into force 21 days after the day on which it is made.

Education Act 1996

2.—(1) The Education Act 1996(2) is amended as follows.

(2) In section 15ZA(8), in the definition of “apprenticeship training”—

(a) after paragraph (a), insert—

“(aa) an approved English apprenticeship agreement (within the meaning given in section A1(3) of that Act);”;

(b) omit the “or” at the end of paragraph (b) and after paragraph (c) insert—

“, or

(1) 2015 c. 20.

(2) 1996 c. 56. Section 15ZA was inserted by section 41 of the Apprenticeships, Skills, Children and Learning Act 2009 (c. 22) and section 15ZC was inserted by section 42 of that Act. Section 15ZA was amended by paragraph 16(1) and (2) of Schedule 2 to the Local Education Authorities and Children’s Services Authorities (Integration of Functions) Order 2010 (S.I. 2010/1158), by paragraphs 1 and 5 of Schedule 3 to the Children and Families Act 2014 (c. 6) and by paragraph 44 of Schedule 14 to the Deregulation Act 2015 (c. 20).

- (d) an alternative English apprenticeship (within the meaning given in section A1(4) of that Act);”.
- (3) In section 15ZC(2) omit the “or” at the end of paragraph (a) and after that paragraph insert—
 - “(aa) an approved English apprenticeship agreement (within the meaning given in section A1(3) of that Act), or”.

Education and Skills Act 2008

- 3.** In section 66(1) of the Education and Skills Act 2008(3), in the definition of “apprenticeship agreement”—
 - (a) for “has” substitute “means an apprenticeship agreement within”;
 - (b) after “2009” insert “or an approved English apprenticeship agreement within the meaning given in section A1(3) of that Act”.

Date

Name
Minister of State for Skills
Department for Business, Innovation and Skills

(3) 2008 c. 25. Section 66(1) was amended by section 37(1) and (3)(a) and (b) of the Apprenticeships, Skills, Children and Learning Act 2009 (c. 22).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes amendments to primary legislation consequential to section 3 of and Schedule 1 to the Deregulation Act 2015 which inserts Chapter A1 (Apprenticeships: England) into Part 1 of the Apprenticeships, Skills, Children and Learning Act 2009 (the “2009 Act”). In particular, this Order:

- Amends section 15ZA(8) of the Education Act 1996 (Duty in respect of education and training for persons over compulsory school age: England) so that references to “apprenticeship training” within that section include training provided in connection with approved English apprenticeship agreements and alternative English apprenticeships (within the meaning of section A1(3) and (4) of the 2009 Act) (see article 2);
- Amends section 15ZC(2) of the Education Act 1996 (Encouragement of education and training for persons over compulsory school age: England) so that, in relation to section 15ZC(1)(b), reference to participating in the provision of training includes participating by entering into an approved English apprenticeship agreement (within the meaning given in section A1(3) of the 2009 Act) (see article 2);
- Amends section 66(1) of the Education and Skills Act 2008 (Interpretation of terms in Part 1 of the Act – Duty to participate in education or training: England) so that the reference in section 2 of that Act to “apprenticeship agreement” includes approved English apprenticeship agreements (within the meaning of section A1(3) of the 2009 Act) (see article 3).

An impact assessment has not been prepared for this instrument as no significant impact on the private, voluntary or public sector is foreseen. The Explanatory Memorandum is published alongside the Order on www.legislation.gov.uk.