



Education (Work Experience) Act 1973

1973 CHAPTER 23

An Act to enable education authorities to arrange for children under school-leaving age to have work experience, as part of their education. [23rd May 1973]

Modifications etc. (not altering text)

- C1 Act repealed (S.) by [Education \(Scotland\) Act 1980 \(c. 44\), Sch. 5](#)
- C2 Act amended by [Sex Discrimination Act 1975 \(c. 65\), s. 23](#) and [Race Relations Act 1976 \(c. 74\), s. 18](#)

1 Work experience in the last year of compulsory schooling. **E+W**

- (1) Subject to subsection (2) below, the enactments relating to the prohibition or regulation of the employment of children shall not apply to the employment of a child in his last year of compulsory schooling where the employment is in pursuance of arrangements made or approved by the local education authority [^{F1}or, in the case of a child at a grant-maintained school, by the governing body of the school] or, in Scotland, the education authority with a view to providing him with work experience as part of his education.
- (2) Subsection (1) above shall not be taken to permit the employment of any person in any way contrary to—
 - (a) an enactment which in terms applies to persons of less than, or not over, a specified age expressed as a number of years; or
 - (b) section 1(2) of the ^{M1}Employment of Women, Young Persons and Children Act 1920 or [^{F2}section 55(1) of the Merchant Shipping Act 1995] (prohibition of employment of children in ships);
- (3) No arrangements shall be made under subsection (1) above for a child to be employed in any way which would be contrary to an enactment prohibiting or regulating the employment of young persons if he were a young person (within the meaning of that enactment) and not a child; and where a child is employed in pursuance of arrangements so made, then so much of any enactment as regulates the employment of young persons (whether by excluding them from any description of work, or prescribing the conditions under which they may be permitted to do it, or otherwise howsoever) and would apply in relation to him if he were of an age to be treated as a young person for the purposes of that enactment shall apply in relation to him, in

Status: Point in time view as at 01/09/1996.

Changes to legislation: There are currently no known outstanding effects for the Education (Work Experience) Act 1973 (repealed 1.11.1996). (See end of Document for details)

and in respect of the employment arranged for him, in all respects as if he were of an age to be so treated.

(4) In this Act—

“enactment” includes any byelaw, regulation or other provision having effect under an enactment;

other expressions which are also used in the Education Acts shall have the same meaning in this section as in those Acts; and

“the Education Acts” means in England and Wales the Education Acts 1944 to [F³1996] and, in Scotland, the Education (Scotland) Acts 1939 to 1971;

and for the purposes of subsection (1) above [F⁴a child shall be taken to be in his last year of compulsory schooling from the beginning of the term at his school which precedes the beginning of the school year in which by virtue of section 9 of the Education Act 1962 he would be entitled to leave school.]

Extent Information

E1 This version extends to England and Wales only; a separate version has been created for Scotland only

Textual Amendments

F1 Words inserted by [Education Reform Act 1988 \(c. 40, SIF 41:1\)](#), ss. 231(7), 235(6), 237(1), **Sch. 12 para. 14**

F2 Words in s. 1(2)(b) substituted (1.1.1996) by [1995 c. 21](#), ss. 314(2), 316(2), **Sch. 13 para. 48** (with s. 312(1))

F3 Words in definition of “the Education Acts” in s. 1(4) substituted (1.9.1996) by [1996 c. 50](#), s. 10, **Sch. 3 para. 3**; [S.I. 1996/2022](#), **art. 2**

F4 Words substituted by [Employment Act 1990 \(c. 38, SIF 43:5\)](#), s. 14

Modifications etc. (not altering text)

C3 [S. 1\(1\)](#) applied (1.4.1994) by [S.I. 1994/653](#), reg. 42(1), **Sch. Pt. I**

C4 [S. 1\(1\)](#) applied (9.5.1994) by [S.I. 1994/1084](#), reg. 8(1), **Sch. 2 Pt. I**

Marginal Citations

M1 [1920 c. 65](#).

1 Work experience in the last year of compulsory schooling. **S**

(1) Subject to subsection (2) below, the enactments relating to the prohibition or regulation of the employment of children shall not apply to the employment of a child in his last year of compulsory schooling where the employment is in pursuance of arrangements made or approved by the local education authority [F⁵or, in the case of a child at a grant-maintained school, by the governing body of the school] or, in Scotland, the education authority with a view to providing him with work experience as part of his education.

(2) Subsection (1) above shall not be taken to permit the employment of any person in any way contrary to—

(a) an enactment which in terms applies to persons of less than, or not over, a specified age expressed as a number of years; or

(b) section 1(2) of the ^{M2}Employment of Women, Young Persons and Children Act 1920 or [F⁶section 55(1) of the Merchant Shipping Act 1995] (prohibition of employment of children in ships);

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(3) No arrangements shall be made under subsection (1) above for a child to be employed in any way which would be contrary to an enactment prohibiting or regulating the employment of young persons if he were a young person (within the meaning of that enactment) and not a child; and where a child is employed in pursuance of arrangements so made, then so much of any enactment as regulates the employment of young persons (whether by excluding them from any description of work, or prescribing the conditions under which they may be permitted to do it, or otherwise howsoever) and would apply in relation to him if he were of an age to be treated as a young person for the purposes of that enactment shall apply in relation to him, in and in respect of the employment arranged for him, in all respects as if he were of an age to be so treated.

(4) In this Act—

“enactment” includes any byelaw, regulation or other provision having effect under an enactment;

other expressions which are also used in the Education Acts shall have the same meaning in this section as in those Acts; and

“the Education Acts” means in England and Wales the Education Acts 1944 to [F7 1993] and, in Scotland, the Education (Scotland) Acts 1939 to 1971;

and for the purposes of subsection (1) above [F8 a child shall be taken to be in his last year of compulsory schooling from the beginning of the term at his school which precedes the beginning of the school year in which by virtue of section 9 of the Education Act 1962 he would be entitled to leave school.]

Extent Information

E2 This version extends to Scotland only; a separate version has been created for England and Wales only

Textual Amendments

F5 Words inserted by [Education Reform Act 1988 \(c. 40, SIF 41:1\)](#), ss. 231(7), 235(6), 237(1), [Sch. 12 para. 14](#)

F6 Words in s. 1(2)(b) substituted (1.1.1996) by 1995 c. 21, ss. 314(2), 316(2), [Sch. 13 para. 48](#) (with s. 312(1))

F7 Words in s. 1(4) substituted (1.9.1994) by 1993 c. 35, s. 307(1), [Sch. 19 para. 54\(a\)](#); S.I. 1994/2038, [art. 3](#), [Sch. 2](#)

F8 Words substituted by [Employment Act 1990 \(c. 38, SIF 43:5\)](#), s. 14

Modifications etc. (not altering text)

C5 [S. 1\(1\)](#) applied (1.4.1994) by S.I. 1994/653, reg. 42(1), [Sch. Pt. I](#)

C6 [S. 1\(1\)](#) applied (9.5.1994) by S.I. 1994/1084, reg. 8(1), [Sch. 2 Pt. I](#)

Marginal Citations

M2 1920 c. 65.

2 Citation and extent.

(1) This Act may be cited as the Education (Work Experience) Act 1973; and—

- (a) in relation to England and Wales, this Act shall be included among the Acts which may be cited together as the Education Acts 1944 to 1973; and

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- (b) in relation to Scotland the Education Acts and this Act may be cited together as the Education (Scotland) Acts 1939 to 1973.
- (2) Nothing in this Act extends to Northern Ireland.

Status:

Point in time view as at 01/09/1996.

Changes to legislation:

There are currently no known outstanding effects for the Education (Work Experience) Act 1973 (repealed 1.11.1996).