



# Employment Rights Act 1996

## 1996 CHAPTER 18

### [<sup>F1</sup>PART 6A

#### STUDY AND TRAINING

VALID FROM 06/04/2010

#### [<sup>F1</sup>63D Statutory right to make request in relation to study or training

- (1) A qualifying employee may make an application under this section to his or her employer.
- (2) An application under this section (a “section 63D application”) is an application that meets—
  - (a) the conditions in subsections (3) to (5), and
  - (b) any further conditions specified by the Secretary of State in regulations.
- (3) The application must be made for the purpose of enabling the employee to undertake study or training (or both) within subsection (4).
- (4) Study or training is within this subsection if its purpose is to improve—
  - (a) the employee's effectiveness in the employer's business, and
  - (b) the performance of the employer's business.
- (5) The application must state that it is an application under this section.
- (6) An employee is a qualifying employee for the purposes of this section if the employee—
  - (a) satisfies any conditions about duration of employment specified by the Secretary of State in regulations, and
  - (b) is not a person within subsection (7).
- (7) The following persons are within this subsection—
  - (a) a person of compulsory school age (or, in Scotland, school age);

*Status: Point in time view as at 01/07/2000. This version of this provision is not valid for this point in time.*

*Changes to legislation: Employment Rights Act 1996, Section 63D is up to date with all changes known to be in force on or before 07 June 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)*

- (b) a person to whom Part 1 of the Education and Skills Act 2008 (duty to participate in education or training for 16 and 17 year olds) applies;
  - (c) a person who, by virtue of section 29 of that Act, is treated as a person to whom that Part applies for the purposes specified in that section (extension for person reaching 18);
  - (d) a person to whom section 63A of this Act (right to time off for young person for study or training) applies;
  - (e) an agency worker;
  - (f) a person of a description specified by the Secretary of State in regulations.
- (8) Nothing in this Part prevents an employee and an employer from making any other arrangements in relation to study or training.
- (9) In this section—
- “agency worker” means a worker supplied by a person (the “agent”) to do work for another person (the “principal”) under a contract or other arrangement between the agent and principal;
  - “compulsory school age” has the meaning given in section 8 of the Education Act 1996;
  - “school age” has the meaning given in section 31 of the Education (Scotland) Act 1980.]

#### Textual Amendments

- F1** Pt. 6A inserted (6.4.2010 for certain purposes and otherwise prosp.) by [Apprenticeships, Skills, Children and Learning Act 2009 \(c. 22\)](#), **ss. 40(2)**, 269(4); [S.I. 2010/303](#), **art. 4**, Sch. 3 (with arts. 8-14) (as amended by [S.I. 2010/1151](#), art. 22)

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