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STATUTORY INSTRUMENTS

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**2010 No. 155**

**The Employee Study and Training  
(Procedural Requirements) Regulations 2010**

**Interpretation**

2.—(1) In these Regulations—

“the 1996 Act” means the Employment Rights Act 1996;

“companion” means a person who satisfies the requirements in regulation 16(2);

“electronic communication” means an electronic communication within the meaning of section 15(1) of the Electronic Communications Act 2000(1);

“employee” means an individual who has entered into or works under (or, where the employment has ceased, worked under) a contract of employment;

“employer” means the person by whom an employee is (or, where the employment has ceased, was) employed;

“worker” means an individual who has entered into or works under (or where the employment has ceased, worked under)—

- (a) a contract of employment; or
- (b) any other contract, whether express or implied and (if it is express) whether oral or in writing, whereby the individual undertakes to do or perform personally any work or services for another party to the contract whose status is not by virtue of the contract that of a client or customer of any profession or business undertaking carried on by the individual:

“writing” includes writing delivered by means of electronic communication.

(2) A section 63D application is taken as having been received—

- (a) in relation to an application transmitted by electronic communication, on the day on which it is transmitted; and
- (b) in relation to an application sent by post, on the day on which the application would be delivered in the ordinary course of post.

(3) A notice is taken as being given—

- (a) in relation to a notice transmitted by electronic communication, on the day on which it is transmitted; and
- (b) in relation to a notice sent by post, on the day on which the section 63D application would be delivered in the ordinary course of post.