Draft Order laid before Parliament under section 166(2) of the Education and Skills Act 2008, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2013 No.

EDUCATION, ENGLAND

The Duty to Participate in Education or Training (Alternative Ways of Working) Regulations 2013

Made - - - -	***
Coming into force - -	*28th June 2013*

The Secretary of State for Education makes the following Regulations in exercise of the powers conferred by section 5(1) of the Education and Skills Act 2008(**a**).

In accordance with section 166(2) of that Act a draft of this instrument was laid before Parliament and approved by a resolution of each House of Parliament.

Citation and commencement

1. These Regulations may be cited as the Duty to Participate in Education or Training (Alternative Ways of Working) Regulations 2013 and come into force on 28th June 2013.

Alternative ways of working

2. The following ways of working are prescribed for the purposes of section 5(1)(b) of the Education and Skills Act 2008—

(a) working as a self-employed person,

(b) working otherwise than for reward, and

(c) working as the holder of an office.

Name
Minister of State
Department for Education

Date

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made under section 5 of the Education and Skills Act 2008 ("the 2008 Act").

(**a**) 2008 c. 25. See section 168 for the definition of "prescribed" and "regulations".

Section 2 of the 2008 Act places a duty on persons over the compulsory school age to participate in education or training until the age of 18 (or until attaining a level 3 qualification if earlier). There are three ways in which a person might participate in education and training: appropriate full-time education, a contract of apprenticeship, or part-time education or training alongside full-time occupation. These Regulations concern the third of those ways of meeting the duty.

Section 5 of the 2008 Act sets out the meaning of full-time occupation. A person is in full-time occupation if he or she works for at least 20 hours per week under a contract of employment, or in any other way that is prescribed. These Regulations prescribe three alternative ways of working: self-employment, working otherwise than for reward (for example, voluntary work), or as the holder of an office. Persons who work in these ways for at least 20 hours per week will be in full-time occupation for the purposes of the 2008 Act.

An impact assessment has not been produced for this instrument as no impact on businesses, the public sector or civil society organisations is foreseen.

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ISBN 978-0-11-153647-6



£4.00

E6017 03/2013 136017T 19585