



Learning and Skills Act 2000

2000 CHAPTER 21

PART II

[^{F1}FURTHER EDUCATION AND SIXTH FORM EDUCATION: WALES]

Main duties

31 Education and training for persons aged 16 to 19.

- (1) [^{F1}Welsh Ministers] must secure the provision of proper facilities for—
 - (a) education (other than higher education) suitable to the requirements of persons who are above compulsory school age but have not attained the age of 19,
 - (b) training suitable to the requirements of such persons,
 - (c) organised leisure-time occupation connected with such education, and
 - (d) organised leisure-time occupation connected with such training.
- (2) Facilities are proper if they are—
 - (a) of a quantity sufficient to meet the reasonable needs of individuals, ^{F2}...
 - (b) of a quality adequate to meet those needs [^{F3}and]
 - [^{F4}(c) sufficient to satisfy the entitlements conferred under section 33F]
- (3) In performing the duty imposed [^{F5}on them] by subsection (1) the [^{F6}Welsh Ministers] must—
 - (a) take account of the places where facilities are provided, the character of facilities and the way they are equipped;
 - (b) take account of the different abilities and aptitudes of different persons;
 - (c) take account of the education and training required in different sectors of employment for employees and potential employees;
 - [^{F7}(cc) take account of the education and training that is required in order to ensure that employees and potential employees are available who are able to deliver additional learning provision in Welsh;

Changes to legislation: *Learning and Skills Act 2000, Cross Heading: Main duties is up to date with all changes known to be in force on or before 20 March 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) View outstanding changes*

- (cd) take account of the education and training that is required in order to ensure that facilities are available for assessing through the medium of Welsh whether persons have additional learning needs;]
- (d) take account of facilities whose provision the [^{F8}Welsh Ministers think] might reasonably be secured by other persons;
- ^{F9}(e)

^{F10}(4)

(5) For the purposes of this section—

- (a) education includes both full-time and part-time education;
- (b) training includes both full-time and part-time training;
- (c) training includes vocational, social, physical and recreational training;
- (d) higher education is education provided by means of a course of any description mentioned in Schedule 6 to the ^{M1}Education Reform Act 1988.

Textual Amendments

- F1** Words in s. 31(1) substituted (19.1.2011) by [Learning and Skills \(Wales\) Measure 2009 \(nawm 1\)](#), s. 49(2), **Sch. para. 4(a)**; S.I. 2011/97, art. 2(1)(p)
- F2** Word in s. 31(2)(a) repealed (14.2.2011) by [Learning and Skills \(Wales\) Measure 2009 \(nawm 1\)](#), **ss. 21(2)(a)**, 49(2); S.I. 2011/97, art. 2(2)(a)
- F3** Word in s. 31(2)(b) inserted (14.2.2011) by [Learning and Skills \(Wales\) Measure 2009 \(nawm 1\)](#), **ss. 21(2)(b)**, 49(2); S.I. 2011/97, art. 2(2)(a)
- F4** S. 31(2)(c) inserted (14.2.2011) by [Learning and Skills \(Wales\) Measure 2009 \(nawm 1\)](#), **ss. 21(2)(c)**, 49(2); S.I. 2011/97, art. 2(2)(a)
- F5** Words in s. 31(3) substituted (19.1.2011) by [Learning and Skills \(Wales\) Measure 2009 \(nawm 1\)](#), s. 49(2), **Sch. para. 4(b)**; S.I. 2011/97, art. 2(1)(p)
- F6** Words in s. 31(3) substituted (19.1.2011) by [Learning and Skills \(Wales\) Measure 2009 \(nawm 1\)](#), s. 49(2), **Sch. para. 4(c)**; S.I. 2011/97, art. 2(1)(p)
- F7** S. 31(3)(cc)(cd) inserted (1.9.2021) by [Additional Learning Needs and Education Tribunal \(Wales\) Act 2018 \(anaw 2\)](#), **ss. 50(2)**, 100(3); S.I. 2021/373, art. 8(b)
- F8** Words in s. 31(3)(d) substituted (19.1.2011) by [Learning and Skills \(Wales\) Measure 2009 \(nawm 1\)](#), s. 49(2), **Sch. para. 4(d)**; S.I. 2011/97, art. 2(1)(p)
- F9** S. 31(3)(e) omitted (1.4.2006) by virtue of [National Council for Education and Training for Wales \(Transfer of Functions to the National Assembly for Wales and Abolition\) Order 2005 \(S.I. 2005/3238\)](#), art. 1(1), **Sch. 1 para. 51(c)** (with art. 7)
- F10** S. 31(4) omitted (1.4.2006) by virtue of [National Council for Education and Training for Wales \(Transfer of Functions to the National Assembly for Wales and Abolition\) Order 2005 \(S.I. 2005/3238\)](#), art. 1(1), **Sch. 1 para. 51(d)** (with art. 7)

Commencement Information

- I1** S. 31 not in force at Royal Assent see s. 154; s. 31 in force for W. at 1.4.2001 by [S.I. 2001/1274](#), art. 2, **Sch. Pt. I**

Marginal Citations

- M1** 1988 c. 40.

32 Education and training for persons over 19.

- (1) The [^{F11}Welsh Ministers] must secure the provision of reasonable facilities for—

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- (a) education (other than higher education) suitable to the requirements of persons who have attained the age of 19,
- (b) training suitable to the requirements of such persons,
- (c) organised leisure-time occupation connected with such education, and
- (d) organised leisure-time occupation connected with such training.

^{F12}(2)

(3) In performing the duty imposed [^{F13}on them] by subsection (1) the [^{F14}Welsh Ministers] must—

- (a) take account of the places where facilities are provided, the character of facilities and the way they are equipped;
- (b) take account of the different abilities and aptitudes of different persons;
- (c) take account of the education and training required in different sectors of employment for employees and potential employees;
- ^{F15}(cc) take account of the education and training that is required in order to ensure that employees and potential employees are available who are able to deliver additional learning provision in Welsh;
- (cd) take account of the education and training that is required in order to ensure that facilities are available for assessing through the medium of Welsh whether persons have additional learning needs;]
- (d) take account of facilities whose provision the [^{F16}Welsh Ministers think] might reasonably be secured by other persons;
- ^{F17}(e)

^{F18}(4)

(5) For the purposes of this section—

- (a) education includes both full-time and part-time education;
- (b) training includes both full-time and part-time training;
- (c) training includes vocational, social, physical and recreational training;
- (d) higher education is education provided by means of a course of any description mentioned in Schedule 6 to the ^{M2}Education Reform Act 1988.

(6) References in this Part to post-16 education are to—

- (a) education falling within section 31(1)(a) or subsection (1)(a) above, and
- (b) organised leisure-time occupation connected with such education.

(7) References in this Part to post-16 training are to—

- (a) training falling within section 31(1)(b) or subsection (1)(b) above, and
- (b) organised leisure-time occupation connected with such training.

Textual Amendments

- F11** Words in s. 32(1) substituted (19.1.2011) by [Learning and Skills \(Wales\) Measure 2009 \(nawm 1\)](#), s. 49(2), [Sch. paras. 2, 3](#); S.I. 2011/97, art. 2(1)(p)
- F12** S. 32(2) omitted (1.4.2006) by virtue of [National Council for Education and Training for Wales \(Transfer of Functions to the National Assembly for Wales and Abolition\) Order 2005 \(S.I. 2005/3238\)](#), art. 1(1), [Sch. 1 para. 52\(b\)](#) (with art. 7)
- F13** Words in s. 32(3) substituted (19.1.2011) by [Learning and Skills \(Wales\) Measure 2009 \(nawm 1\)](#), s. 49(2), [Sch. para. 5\(a\)](#); S.I. 2011/97, art. 2(1)(p)

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- F14** Words in s. 32(3) substituted (19.1.2011) by [Learning and Skills \(Wales\) Measure 2009 \(nawm 1\)](#) , s. 49(2), [Sch. para. 5\(b\)](#); S.I. 2011/97, art. 2(1)(p)
- F15** S. 32(3)(cc)(cd) inserted (1.9.2021) by [Additional Learning Needs and Education Tribunal \(Wales\) Act 2018 \(anaw 2\)](#) , [ss. 50\(3\)](#), 100(3); S.I. 2021/373, art. 8(b)
- F16** Words in s. 32(3) substituted (19.1.2011) by [Learning and Skills \(Wales\) Measure 2009 \(nawm 1\)](#) , s. 49(2), [Sch. para. 5\(c\)](#); S.I. 2011/97, art. 2(1)(p)
- F17** S. 32(3)(e) omitted (1.4.2006) by virtue of [National Council for Education and Training for Wales \(Transfer of Functions to the National Assembly for Wales and Abolition\) Order 2005 \(S.I. 2005/3238\)](#) , art. 1(1), [Sch. 1 para. 52\(d\)](#) (with art. 7)
- F18** S. 32(4) omitted (1.4.2006) by virtue of [National Council for Education and Training for Wales \(Transfer of Functions to the National Assembly for Wales and Abolition\) Order 2005 \(S.I. 2005/3238\)](#) , art. 1(1), [Sch. 1 para. 52\(e\)](#) (with art. 7)

Commencement Information

- I2** S. 32 not in force at Royal Assent see s. 154; s. 32 in force for W. at 1.4.2001 by [S.I. 2001/1274](#) , [art. 2](#) , [Sch. Pt. I](#)

Marginal Citations

- M2** 1988 c. 40 .

33 Encouragement of education and training.

The [^{F19}Welsh Ministers] must—

- (a) encourage individuals to undergo post-16 education and training;
- (b) encourage employers to participate in the provision of post-16 education and training;
- (c) encourage employers to contribute to the costs of post-16 education and training.

Textual Amendments

- F19** Words in s. 33 substituted (19.1.2011) by [Learning and Skills \(Wales\) Measure 2009 \(nawm 1\)](#) , s. 49(2), [Sch. paras. 2, 3](#); S.I. 2011/97, art. 2(1)(p)

Commencement Information

- I3** S. 33 not in force at Royal Assent see s. 154; s. 33 in force for W. at 1.4.2001 by [S.I. 2001/1274](#) , [art. 2](#) , [Sch. Pt. I](#)

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 3A-3D inserted by [2006 c. 40 s. 75\(1\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 75 repealed (1.4.2010) without ever being in force by 2009 c. 22, Sch. 6 para. 59, Sch. 16 Pt. 2; S.I. 2010/303, art. 3, Sch. 2)
- s. 3A-3D repealed by [2009 c. 22 Sch. 16 Pt. 2](#) (This amendment not applied to [legislation.gov.uk](#). The insertion of ss. 3A-3D never came into force and the inserting provision 2006 c. 40, s. 75 was repealed (1.4.2010) by 2009 c. 22, Sch. 6 para. 59, Sch. 16 Pt. 2; S.I. 2010/303, art. 3, Sch. 2)
- s. 3D(6) words substituted by [2007 c. 25 Sch. 1 para. 14](#) (This amendment not applied to [legislation.gov.uk](#). The insertion of ss. 3A-3D never came into force and the inserting provision 2006 c. 40, s. 75 was repealed (1.4.2010) by 2009 c. 22, Sch. 6 para. 59, Sch. 16 Pt. 2; S.I. 2010/303, art. 3, Sch. 2)
- s. 18(9) added by 2009 c. 22 Sch. 2 para. 46(2B) (as modified) (cond.) by [S.I. 2010/1158 Sch. 4 para. 4\(b\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 18 already repealed (1.4.2010) by Apprenticeships, Skills, Children and Learning Act 2009 (c. 22), s. 269(4), Sch. 6 para. 35, Sch. 16 Pt. 2; S.I. 2010/303, art. 3, Sch. 2)
- s. 18C(9) added by 2009 c. 22 Sch. 2 para. 46(2C) (as modified) (cond.) by [S.I. 2010/1158 Sch. 4 para. 4\(b\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 18C already repealed (1.4.2010) by Apprenticeships, Skills, Children and Learning Act 2009 (c. 22), s. 269(4), Sch. 6 para. 36, 16 Pt. 2; S.I. 2010/303, art. 3, Sch. 2)
- s. 33D(3A) inserted by [2022 asc 1 Sch. 4 para. 14\(6\)](#)
- s. 33E(3A) inserted by [2022 asc 1 Sch. 4 para. 14\(7\)\(a\)](#)
- s. 33G(6) inserted by [2022 asc 1 Sch. 4 para. 14\(8\)](#)
- s. 33I(6) inserted by [2022 asc 1 Sch. 4 para. 14\(9\)](#)
- s. 33L(2A) inserted by [2022 asc 1 Sch. 4 para. 14\(12\)](#)
- s. 33M(1) s. 33M renumbered as s. 33M(1) by [2022 asc 1 Sch. 4 para. 14\(13\)](#)
- s. 33M(2) inserted by [2022 asc 1 Sch. 4 para. 14\(13\)](#)
- s. 33P(4) inserted by [2022 asc 1 Sch. 4 para. 14\(16\)\(b\)](#)
- s. 33Q(4) inserted by [2022 asc 1 Sch. 4 para. 14\(17\)\(b\)](#)
- s. 99(2A) inserted by [2008 c. 25 s. 160\(2\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 160(2) repealed (1.4.2010) without ever being in force by 2009 c. 22, Sch. 16 Pt. 2; S.I. 2010/303, art. 3, Sch. 2)
- s. 99(2A) repealed by [2009 c. 22 Sch. 6 para. 45\(3\)Sch. 16 Pt. 2](#) (This amendment not applied to [legislation.gov.uk](#). S. 99(2A) was never inserted and the inserting provision 2008 c. 25, s. 160(2) was repealed (1.4.2010) without ever being in force by 2009 c. 22, Sch. 16 Pt. 2; S.I. 2010/303, art. 3, Sch. 2)
- s. 125(2)(aa) inserted by [2022 asc 1 Sch. 4 para. 14\(24\)](#)
- s. 138(3)(ca) inserted by [2022 asc 1 Sch. 4 para. 14\(26\)](#)