



Education and Skills Act 2008

2008 CHAPTER 25

PART 1

DUTY TO PARTICIPATE IN EDUCATION OR TRAINING: ENGLAND

CHAPTER 6

MISCELLANEOUS

66 Interpretation of Part

(1) In this Part—

[^{F1}“apprenticeship agreement” [^{F2}means an apprenticeship agreement within] the meaning given in section 32 of the Apprenticeships, Skills, Children and Learning Act 2009 [^{F3}or an approved English apprenticeship agreement within the meaning given in section A1(3) of that Act];]

“appropriate full-time education or training” has the meaning given by section 4;

“contract of employment” means a contract of service, whether express or implied and (if it is express) whether oral or in writing, but does not include a contract of apprenticeship [^{F4}or an apprenticeship agreement];

“level 3 qualification” has the meaning given by section 3;

“proprietor”, in relation to a school or other institution, means the person or body of persons responsible for its management;

“relevant period”, in relation to a person to whom this Part applies, has the meaning given by section 7;

“relevant training or education” has the meaning given by section 6;

“sufficient”, in relation to relevant training or education, is to be construed in accordance with section 8(1).

(2) Regulations may provide for a person to be, or not to be, regarded as resident in England for the purposes of any provision of this Part.

Changes to legislation: *Education and Skills Act 2008, Section 66 is up to date with all changes known to be in force on or before 22 April 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*

- (3) Any reference in this Part to a person's being in full-time occupation is to be construed in accordance with section 5.
- (4) For the purposes of this Part, a person is failing to fulfil the duty imposed by section 2 if the person—
- (a) is not participating in education or training in accordance with subsection (1) (a) or (b) of that section, and
 - (b) is not in full-time occupation or is not participating in sufficient relevant training.
- (5) A reasonable excuse for a failure to be in full-time occupation is not a reasonable excuse for a failure to fulfil the duty imposed by section 2 (unless it is also a reasonable excuse for any failure to participate as mentioned in subsection (4)).

Textual Amendments

- F1** Words in s. 66(1) inserted (6.4.2011) by [Apprenticeships, Skills, Children and Learning Act 2009 \(c. 22\)](#), **ss. 37(3)(a)**, 269(4); S.I. 2011/200, art. 3
- F2** Words in s. 66(1) substituted (24.11.2015) by [The English Apprenticeships \(Consequential Amendments to Primary Legislation\) Order 2015 \(S.I. 2015/1852\)](#), arts. 1, **3(a)**
- F3** Words in s. 66(1) inserted (24.11.2015) by [The English Apprenticeships \(Consequential Amendments to Primary Legislation\) Order 2015 \(S.I. 2015/1852\)](#), arts. 1, **3(b)**
- F4** Words in s. 66(1) inserted (6.4.2011) by [Apprenticeships, Skills, Children and Learning Act 2009 \(c. 22\)](#), **ss. 37(3)(b)**, 269(4); S.I. 2011/200, art. 3

Commencement Information

- I1** S. 66 in force at 28.6.2013 by [S.I. 2013/1204](#), **art. 2(t)**

Changes to legislation:

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Changes and effects yet to be applied to :

- s. 66(1) words omitted by [2022 asc 1 Sch. 4 para. 22\(2\)\(a\)](#)
- s. 66(1) words substituted by [2022 asc 1 Sch. 4 para. 22\(2\)\(b\)](#)

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. 91(3)(c) inserted by [2022 asc 1 Sch. 4 para. 22\(3\)](#)