



Apprenticeships, Skills, Children and Learning Act 2009

2009 CHAPTER 22

PART 1

APPRENTICESHIPS, STUDY AND TRAINING

[^{F1}CHAPTER 1

[^{F1}APPRENTICESHIPS: WALES]

Apprenticeship agreements: ^{F1}... Wales

[^{F1}36 Crown servants and Parliamentary staff

- (1) Sections 32 to 35 apply in relation to—
 - (a) an agreement under which a person undertakes Crown employment,
 - (b) an agreement under which a person undertakes service as a member of the naval, military or air forces of the Crown, and
 - (c) an agreement under which a person undertakes employment as—
 - (i) a relevant member of the House of Lords staff, or
 - (ii) a relevant member of the House of Commons staff,

as they apply in relation to any other agreement under which a person undertakes to work for another.
- (2) Subsection (1) is subject to subsection (3) and to any modifications which may be prescribed under subsection (5).
- (3) Section 35(2) does not apply in relation to an apprenticeship agreement that is an agreement within paragraph (a), (b) or (c) of subsection (1).

Changes to legislation: Apprenticeships, Skills, Children and Learning Act 2009, Section 36 is up to date with all changes known to be in force on or before 16 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

- (4) Without prejudice to section 262(3), the power conferred by section 32(2)(b) may be exercised, in particular, to make provision in relation to an apprenticeship agreement which is an agreement within any of paragraphs (a), (b) and (c) of subsection (1) that differs from provision made in relation to other apprenticeship agreements.
- (5) Regulations may provide for any provision of this Chapter ^{F2}... to apply with modifications in relation to—
- (a) an agreement within paragraph (a), (b) or (c) of subsection (1), or
 - (b) a person working, or proposing to work, under such an agreement.
- (6) In subsection (1)—
- “Crown employment” means employment under or for the purposes of a government department or any officer or body exercising on behalf of the Crown functions conferred by a statutory provision (but does not include service as a member of the naval, military or air forces of the Crown);
- “relevant member of the House of Commons staff” has the meaning given by section 195(5) of the Employment Rights Act 1996 (c. 18);
- “relevant member of the House of Lords staff” has the meaning given by section 194(6) of that Act.]

Textual Amendments

- F1** Ss. A9, A10 inserted (4.7.2016) by [Enterprise Act 2016 \(c. 12\)](#), **ss. 24(1), 44(2)(c)**
- F2** Words in s. 36(5) omitted (1.9.2012) by virtue of [Education Act 2011 \(c. 21\)](#), s. 82(3), **Sch. 18 para. 3**; [S.I. 2012/1087](#), art. 3
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Commencement Information

- I1** S. 36 in force at 6.4.2011 for E. by [S.I. 2011/200](#), **art. 3**
- I2** S. 36 in force at 1.8.2011 for W. by [S.I. 2011/200](#), **art. 4**

Changes to legislation:

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Changes and effects yet to be applied to :

- s. 28-36 omitted by [2022 asc 1 Sch. 4 para. 24\(2\)\(d\)](#)

Commencement Orders yet to be applied to the Apprenticeships, Skills, Children and Learning Act 2009

Commencement Orders bringing provisions within this Act into force:

- [S.I. 2009/3341 art. 2](#) commences [\(2009 c. 22\)](#)
- [S.I. 2010/2413 art. 2](#) commences [\(2009 c. 22\)](#)
- [S.I. 2011/829 art. 2](#) commences [\(2009 c. 22\)](#)
- [S.I. 2011/882 art. 2](#) amendment to earlier commencing [SI 2010/303 art. 7 Sch. 6](#)