



Apprenticeships, Skills, Children and Learning Act 2009

2009 CHAPTER 22

PART 4

THE CHIEF EXECUTIVE OF SKILLS FUNDING

CHAPTER 1

ESTABLISHMENT AND MAIN DUTIES

The apprenticeship offer

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- (1) A person who—
 - (a) is within subsection (2), (3) or (4), and
 - (b) satisfies the apprenticeship offer requirements at level 2 or level 3 (see section 95),is entitled to elect for the apprenticeship offer at that level.
- (2) A person within this subsection is one who—
 - (a) is over compulsory school age, and
 - (b) is aged under 19.
- (3) A person within this subsection is one who is not within subsection (2) and—
 - (a) is a person aged under 21 towards whom a local authority in England has the duties provided for in section 23C of the [Children Act 1989 \(c. 41\)](#) (continuing functions in respect of certain formerly looked after children), or

Status: This is the original version (as it was originally enacted).

- (b) is a person to whom section 23CA of that Act applies, in relation to whom a local authority in England is the responsible local authority (within the meaning of that section).
- (4) A person within this subsection is one who—
 - (a) is not within subsection (2), and
 - (b) is of a prescribed description.
- (5) If regulations under subsection (4)(b) describe a person by reference to an age or an age range, the age, or the upper age of the age range, must be less than 25.
- (6) A person who elects for the apprenticeship offer must choose two available sectors.
- (7) A person who elects for the apprenticeship offer and satisfies the apprenticeship offer requirements both at level 2 and at level 3 must choose one of those levels.
- (8) The Secretary of State may make arrangements for the making of elections and choices of apprenticeship sectors and levels under this section.
- (9) The Secretary of State may delegate the functions conferred by subsection (8) (and may do so on terms which allow sub-delegation).