



Education and Skills Act 2008

2008 CHAPTER 25

PART 1

DUTY TO PARTICIPATE IN EDUCATION OR TRAINING: ENGLAND

CHAPTER 1

YOUNG PERSONS

Duty to participate in education or training

2 Duty to participate in education or training

- (1) A person to whom this Part applies must—
- (a) be participating in appropriate full-time education or training (see section 4),
 - (b) be participating in training in accordance with a contract of apprenticeship [^{F1}or an apprenticeship agreement], or
 - (c) both—
 - (i) be in full-time occupation (see section 5), and
 - (ii) participate in sufficient relevant training or education in each relevant period (see sections 6 to 8).
- (2) For the purposes of this Part, a person who is in full-time occupation is to be taken to be participating in sufficient relevant training or education at any particular time if—
- (a) arrangements have been made (whether by means of enrolment on a course or courses, or otherwise) for the person to receive sufficient relevant training or education during the current relevant period, and
 - (b) where the arrangements call for the person to be participating in training or education at the time, the person is so participating.

Changes to legislation: Education and Skills Act 2008, Section 2 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

Textual Amendments

- F1** Words in s. 2(1)(b) inserted (6.4.2011) by [Apprenticeships, Skills, Children and Learning Act 2009](#) (c. 22), [ss. 37\(2\)](#), 269(4); S.I. 2011/200, art. 3

Modifications etc. (not altering text)

- C1** Pt. 1 Ch. 1 modified (28.6.2013) by [The Duty to Participate in Education or Training \(Miscellaneous Provisions\) Regulations 2013](#) (S.I. 2013/1205), regs. 1(1), [8](#)

Commencement Information

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

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