
STATUTORY INSTRUMENTS

2010 No. 1941

The Apprenticeships, Skills, Children and Learning Act 2009 (Consequential Amendments to Subordinate Legislation) (England) Order 2010

Amendment of the Employment and Support Allowance Regulations 2008

28.—(1) The Employment and Support Allowance Regulations 2008⁽¹⁾ are amended as follows.

(2) In regulation 2(1) (interpretation) in paragraph (a) of the definition of “training allowance” for “Learning and Skills Council for England” substitute “Young People’s Learning Agency for England, the Chief Executive of Skills Funding”.

(3) In regulation 14(2)—

(a) for paragraph (a)(i) substitute—

“(i) the Young People’s Learning Agency for England;

(ia) the Chief Executive of Skills Funding;”;

(b) in paragraph (c) (except paragraph c(i)) for “Learning and Skills Council for England” substitute “Young People’s Learning Agency for England, the Chief Executive of Skills Funding”;

(c) for paragraph (c)(i) substitute—

“(i) in the case of a course funded by the Young People’s Learning Agency for England or the Chief Executive of Skills Funding, in the student’s learning agreement signed on behalf of the establishment which is funded by either of those bodies for the delivery of that course;”;

(4) In regulation 131(1) (interpretation)—

(a) in paragraph (d) of the definition of “access funds” for “Learning and Skills Council for England under sections 5, 6 and 9 of the Learning and Skills Act 2000” substitute “Young People’s Learning Agency for England under sections 61 and 62 of the Apprenticeships, Skills, Children and Learning Act 2009 or the Chief Executive of Skills Funding under sections 100 and 101 of that Act”;

(b) in the definition of “full-time course of advanced education”—

(i) in paragraphs (a) and (b) (except paragraph (b)(i)) for “Learning and Skills Council for England” substitute “Young People’s Learning Agency for England, the Chief Executive of Skills Funding” in both places where those words occur;

(ii) for paragraph (b)(i) substitute—

“(i) in the case of a course funded by the Young People’s Learning Agency for England or the Chief Executive of Skills Funding, in the student’s learning agreement signed on behalf of the establishment which is funded by either of those bodies for the delivery of that course; or”;

⁽¹⁾ S.I. 2008/794, as amended by S.I. 2009/583; there are other amending instruments but none is relevant.

- (c) in the definition of “full-time course of study”—
 - (i) in paragraphs (a) and (b) (except paragraph (b)(i)) for “Learning and Skills Council for England” substitute “Young People’s Learning Agency for England, the Chief Executive of Skills Funding” in both places where those words occur;
 - (ii) for paragraph (b)(i) substitute—
 - “(i) in the case of a course funded by the Young People’s Learning Agency for England or the Chief Executive of Skills Funding, in the student’s learning agreement signed on behalf of the establishment which is funded by either of those bodies for the delivery of that course; or”.