

Status: This version of this provision is prospective.

Changes to legislation: Apprenticeships, Skills, Children and Learning Act 2009, Section 45 is up to date with all changes known to be in force on or before 12 May 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



Apprenticeships, Skills, Children and Learning Act 2009

2009 CHAPTER 22

PART 2

[^{F3}LOCAL AUTHORITY] FUNCTIONS

The core and additional entitlements

PROSPECTIVE

45 Duties in relation to the core and additional entitlements

After section 17 of the Education Act 1996 (c. 56) insert—

“The [^{F1}core entitlement]: England

17A Duties in relation to the [^{F2}core entitlement]

(1) A [^{F3}local authority] in England must exercise their functions in such a way as to secure that the [^{F4}core entitlement is] satisfied in relation to persons in their area who are over compulsory school age but under 19.

^{F5}(2)

^{F5}(3)

^{F5}(4)

^{F5}(5)

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(6) In exercising their functions as required by this section, a [F3]local authority] in England must have regard to any guidance given from time to time by the Secretary of State.

(7) In this section—

F6

...

F6

...

“ the core entitlement ” has the meaning given by section 17C.

F7(8)

(9) The [F8]reference in subsection (1)] to persons in a [F3]local authority]'s area who are over compulsory school age but under 19 [F8]does] not include persons who are subject to a detention order.

17B Entitlement to education and training for 16 to 18 year olds

.....

17C The core entitlement

[F10](A1) A person over compulsory school age but under 19 has the core entitlement.]

(1) The core entitlement is an entitlement to follow a course of study in each of the core subjects chosen by the person [F11]who has] the entitlement (the “chosen core subjects”).

(2) The core subjects are—

- (a) mathematics;
- (b) English;
- (c) information and communication technology.

(3) The core entitlement is satisfied in relation to a person if a course of study in each of the chosen core subjects is made available to the person at a school or institution.

(4) A person's entitlement to follow a course of study in one of the chosen core subjects ceases if—

- (a) a course of study in the subject is made available to the person, but
- (b) the person does not begin the course of study before reaching the age of 19.

[F12](5) In this section “ course of study ” means a course of education or training leading to a qualification specified, or a qualification of a description specified, by the Secretary of State by order for the purposes of this subsection.

|

17D The additional entitlement

.....”

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Textual Amendments

- F1** Words in s. 45 substituted (15.1.2012) by [Education Act 2011 \(c. 21\)](#) , **ss. 30(2)** , 82(2)(b)
- F2** Words in s. 45 substituted (15.1.2012) by [Education Act 2011 \(c. 21\)](#) , **ss. 30(3)(f)** , 82(2)(b)
- F3** Words in Act substituted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#) , **Sch. 2 para. 16(2)**
- F4** Words in s. 45 substituted (15.1.2012) by [Education Act 2011 \(c. 21\)](#) , **ss. 30(3)(a)** , 82(2)(b)
- F5** Words in s. 45 omitted (15.1.2012) by virtue of [Education Act 2011 \(c. 21\)](#) , **ss. 30(3)(b)** , 82(2)(b)
- F6** Words in s. 45 omitted (15.1.2012) by virtue of [Education Act 2011 \(c. 21\)](#) , **ss. 30(3)(c)** , 82(2)(b)
- F7** Words in s. 45 omitted (15.1.2012) by virtue of [Education Act 2011 \(c. 21\)](#) , **ss. 30(3)(d)** , 82(2)(b)
- F8** Words in s. 45 substituted (15.1.2012) by [Education Act 2011 \(c. 21\)](#) , **ss. 30(3)(e)** , 82(2)(b)
- F9** Words in s. 45 omitted (15.1.2012) by virtue of [Education Act 2011 \(c. 21\)](#) , **ss. 30(4)** , 82(2)(b)
- F10** Words in s. 45 inserted (15.1.2012) by [Education Act 2011 \(c. 21\)](#) , **ss. 30(5)(a)** , 82(2)(b)
- F11** Words in s. 45 substituted (15.1.2012) by [Education Act 2011 \(c. 21\)](#) , **ss. 30(5)(b)** , 82(2)(b)
- F12** Words in s. 45 inserted (15.1.2012) by [Education Act 2011 \(c. 21\)](#) , **ss. 30(5)(c)** , 82(2)(b)
- F13** Words in s. 45 omitted (15.1.2012) by virtue of [Education Act 2011 \(c. 21\)](#) , **ss. 30(6)** , 82(2)(b)

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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](#)