Draft Regulations laid before Parliament under section 236(3) of the Employment Rights Act 1996, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2010 No.

EMPLOYMENT AND TRAINING

The Employee Study and Training (Qualifying Period of Employment) Regulations 2010

Made - - - -	***
Coming into force - -	*6th April 2010*

The Secretary of State for Business, Innovation and Skills makes these Regulations in exercise of the power conferred by section 63D(6)(a) of the Employment Rights Act 1996(**1**) ("the Act").

A draft of these Regulations was laid before Parliament in accordance with section 236(3) of the Act(**2**) and approved by resolution of each House of Parliament.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Employee Study and Training (Qualifying Period of Employment) Regulations 2010 and come into force on 6th April 2010.

(2) In these Regulations, "the 1996 Act" means the Employment Rights Act 1996.

Duration of employment

2.—(1) [*63D(6)(a)*] For the purposes of section 63D(6) of the 1996 Act, in order to be a qualifying employee, an employee must have been continuously employed for a period of not less than 26 weeks.

(2) In paragraph (1), a period of continuous employment means a period computed in accordance with Chapter 1 of Part 14 of the 1996 Act(**3**), as if that paragraph were a provision of that Act.

(**1**) 1996 c.18; section 63D was inserted by section 40 of the Apprenticeships, Skills, Children and Learning Act 2009 (c.22).

(**2**) Section 236(3) was amended by the Employment Relations Act 1999 (c.26), Schedule 4, Part III, paragraphs 5 and 42(1) and (3) and the Apprenticeships, Skills, Children and Learning Act 2009 (c.22), Schedule 1, paragraph 11.

(**3**) In Chapter 1 of Part 14 of the 1996 Act, section 211 was amended by 2006/1031. Section 212 was amended by the Employment Relations Act 1999 (c.26), section 44, Schedule 4, Part III, paragraphs 5 and 38 and Schedule 9, Table 2. Section 215 was amended by the Social Security Contributions (Transfer of Functions, etc) Act 1999 (c.2), Schedule 7, paragraph 21. Section 218 was amended by the Education Act 2002 (c.32), Schedule 21, paragraph 32; the National Health Service (Consequential Provisions) Act 2006 (c.43), Schedule 1, paragraphs 177 and 180; the Health and Social Care (Community Health and Standards) Act 2003 (c.43), Schedule 4, paragraphs 99 and 101, Schedule 13, paragraph 8 and Schedule 14, Parts 4 and 7; the Health Protection Agency Act 2004 (c.17), Schedule 3, paragraph 13; and S.I. 2000/90, 2002/2469 and 2007/961. Section