

*Changes to legislation: Education Act 1996, Cross Heading: Children Act 1989 (c. 41) is up to date with all changes known to be in force on or before 04 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*

## SCHEDULES

### SCHEDULE 37

#### CONSEQUENTIAL AMENDMENTS

#### PART I

#### AMENDMENTS COMING INTO FORCE ON 1ST NOVEMBER 1996

#### *Children Act 1989 (c. 41)*

<sup>F1</sup>84 .....

#### Textual Amendments

**F1** Sch. 37 para. 84 repealed (5.5.2010) by [The Local Education Authorities and Children’s Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), art. 1, **Sch. 3 Pt. 1**

85 In section 36(5) of that Act (education supervision orders: presumption that child is not being properly educated)—

- (a) for “section 37 of the Education Act 1944” there is substituted “ section 437 of the Education Act 1996 ”; and
- (b) for “section 39” there is substituted “ section 444 ”.

<sup>F2</sup>86 .....

#### Textual Amendments

**F2** Sch. 37 para. 86 repealed (1.4.2002) by [2000 c. 14, s. 117\(2\)](#), [Sch. 6](#); [S.I. 2001/4150](#), arts. 3(3)(c)(xii) (subject to [art. 4](#)); [S.I. 2002/920](#), [art. 3\(3\)\(g\)\(x\)](#) (subject to [art. 3\(2\)](#), [Schs. 1-3](#) and with [art. 3\(5\)-\(10\)](#))

87 In section 87(10) of that Act (welfare of children accommodated in independent schools) for “the Education Act 1944” there is substituted “ the Education Act 1996 ”.

<sup>F3</sup>88 .....

#### Textual Amendments

**F3** Sch. 37 para. 88 repealed (1.4.2002) by [2000 c. 14, ss. 117\(2\)](#), [Sch. 6](#); [S.I. 2001/4150](#), arts. 3(3)(c)(xii) (subject to [art. 4](#)); [S.I. 2002/920](#), [art. 3\(3\)\(g\)\(x\)](#) (subject to [art. 3\(2\)](#), [Schs. 1-3](#) and with [art. 3\(5\)-\(10\)](#))

<sup>F4</sup>89 .....

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### Textual Amendments

**F4** Sch. 37 para. 89 repealed (1.4.2002) by 2000 c. 14, s. 117(2), Sch. 6; S.I. 2001/4150, arts. 3(3)(c)(xii) (subject to art. 4); S.I. 2002/920, art. 3(3)(g)(x) (subject to art. 3(2), Schs. 1-3 and with art. 3(5)-(10))

- 90 In section 91(5) of that Act (effect and duration of orders: school attendance orders) for “section 37 of the Education Act 1944” there is substituted “ section 437 of the Education Act 1996 ”.
- 91 In section 105(1) of that Act (interpretation) for “the Education Act 1944” in each place where it occurs, and for “the Education Act 1993”, there is substituted “ the Education Act 1996 ”.
- 92 In paragraph 3(b) of Schedule 2 to that Act (local authority support for children and families: assessment of children’s needs) for “Part III of the Education Act 1993” there is substituted “ Part IV of the Education Act 1996 ”.
- 93 (1) Part III of Schedule 3 to that Act (education supervision orders) shall be amended as follows.
- (2) In paragraph 13—
- (a) in sub-paragraph (1) for “section 36 of the Education Act 1944 (duty to secure education of children) and section 199 of the Education Act 1993 (duty)” there is substituted “ sections 7 and 444 of the Education Act 1996 (duties to secure education of children and ”; and
- (b) in sub-paragraph (2)—
- (i) in paragraph (a)(i) for “section 192 of that Act” there is substituted “ section 437 of the Education Act 1996 ”,
- (ii) in paragraph (b)(i) for “section 192” there is substituted “ section 437 ”,
- (iii) in paragraph (b)(ii) for “section 76 of the Education Act 1944” there is substituted “ section 9 of that Act ”, and
- (iv) in paragraph (b)(iii) for “sections 6 and 7 of the Education Act 1980” there is substituted “ sections 411 and 423 of that Act ”.
- (3) In paragraph 21 for “the Education Act 1944 (as amended by Schedule 13)” there is substituted “ the Education Act 1996. ”
- 94 (1) Paragraph 3 of Schedule 9 to that Act (child minding and day care: exemption of certain schools) shall be amended as follows.
- (2) In sub-paragraph (1)—
- (a) for “section 100 of the Education Act 1944” there is substituted “ section 485 of the Education Act 1996 ”, and
- (b) for “section 53 of the Act of 1944” there is substituted “ section 508 of that Act ”.
- (3) In sub-paragraph (3)—
- (a) for “the Education Act 1944” there is substituted “ the Education Act 1996 ”, and
- (b) for “the Education Act 1993” there is substituted “ that Act ”.

**Changes to legislation:**

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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. 13(2)(ba) substituted for s. 13(2)(aa)(b) by [2022 asc 1 Sch. 4 para. 8\(2\)](#)
- s. 15A(3A) inserted by [2022 asc 1 Sch. 4 para. 8\(3\)](#)
- s. 15B(3)(c) inserted by [2022 asc 1 Sch. 4 para. 8\(4\)](#)
- s. 17A functions made exercisable concurrently by [S.I. 2014/1012 art. 12\(1\)Sch. 2 para. 3](#)
- s. 17A functions made exercisable concurrently by [S.I. 2014/863 Sch. 2 para. 4](#)
- s. 17A functions made exercisable concurrently by [S.I. 2014/865 Sch. 2 para. 3](#)
- s. 17A functions made exercisable concurrently by [S.I. 2016/653 Sch. 3 para. 3](#)
- s. 17A-17D inserted by [2009 c. 22 s. 45](#)
- s. 17B-17D applied by [2009 c. 22 s. 86\(8\)](#)
- s. 457(4)(i)-(iia) repealed by [2012 c. 5 Sch. 14 Pt. 1](#)
- s. 457(4)(iii) words repealed by [2012 c. 5 Sch. 14 Pt. 1](#)
- s. 508(4) inserted by [2022 asc 1 Sch. 4 para. 8\(7\)](#)
- s. 537AA inserted by [2008 c. 25 Sch. 1 para. 8](#)
- s. 548(7A)(7B) inserted by [2008 c. 25 Sch. 1 para. 9\(5\)](#)
- s. 578(1) words repealed by [2005 c. 18 Sch. 19 Pt. 1](#)