

## SCHEDULES

### SCHEDULE 3

Section 21.

#### MINOR AND CONSEQUENTIAL AMENDMENTS

##### *Children and Young Persons Act 1933 (c. 12)*

- 1 In section 10(1) of the Children and Young Persons Act 1933 (vagrants preventing children from receiving education) after the word " aptitude " there are inserted the words " and to any special educational needs he may have ".

##### *The principal Act*

- 2 In section 37 of the principal Act (school attendance orders), in subsections (1), (2), (4) and (5) after the word " aptitude " in each case there are inserted the words " and to any special educational needs he may have. "
- 3 In section 50(1) of the principal Act (provision of board and lodging)—
- (a) after the word " aptitude" there are inserted the words " and to any special educational needs he may have ";
  - (b) for the words "requiring special educational treatment" there are substituted the words " having special educational needs " ; and
  - (c) for the word "treatment", in the second place where it occurs, there is substituted the word " provision ".
- 4 In section 52(1) of the principal Act (recovery of cost of board and lodging) after the word " aptitude " there are inserted the words "or special educational needs ".
- 5 In section 61 (prohibition of fees in schools maintained by local education authority and in county colleges), in paragraph (a) of the proviso to subsection (2), after the word " aptitude " there are inserted the words " and to any special educational needs he may have ".
- 6 In section 114 of the principal Act (interpretation) for the definition of " special educational treatment" there is substituted—
- “special educational needs ' and ' special educational provision ' have the meanings given to them by section 1 of the Education Act 1981;”.

##### *Education (Miscellaneous Provisions) Act 1948 (c.40)*

- 7 In section 5(1) of the Education (Miscellaneous Provisions) Act 1948 (provision of clothing) for the words from " receiving special" to the end there are substituted the words " for whom special educational provision is made in pursuance of arrangements made by them ".

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*Status: This is the original version (as it was originally enacted).*

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*Education (Miscellaneous Provisions) Act 1953 (c.33)*

8 (1) Section 6 of the Education (Miscellaneous Provisions) Act 1953 (payment of pupils' fees at non-maintained schools) is amended as follows.

(2) In subsection (2)—

- (a) for the words "section 33 of the principal Act" there are substituted the words " the Education Act 1981 ";
- (b) after the word " pupil" in paragraph (a)(ii), in the second place where it occurs, there are inserted the words " and any special educational needs he may have ";
- (c) for sub-paragraph (iii) of paragraph (a) there is substituted the following sub-paragraph—

“(iii) where, in a case not falling within either of the two foregoing sub-paragraphs, the authority are satisfied that the pupil has special educational needs and that it is expedient in his interests that the required special educational provision should be made for him at a school not maintained by them or another local education authority”;

and

- (d) in paragraph (b) after the word " aptitude " there are inserted the words " and to any special educational needs he may have ".

*Children and Young Persons Act 1969 (c. 54)*

9 In section 1(2)(e) of the Children and Young Persons Act 1969 (care proceedings in juvenile courts) after the word " aptitude " there are inserted the words " and to any special educational needs he may have ".

*Education Act 1973 (c. 16)*

10 In section 1(2)(b) of the Education Act 1973 (modifications of instruments regulating schools) for the words from " section 33 " to the end there are substituted the words " sections 12 and 13 of the Education Act 1981 (approval of schools for purposes of that Act); and ".

*Sex Discrimination Act 1975 (c. 65)*

11 In section 23(1) of the Sex Discrimination Act 1975 (local education authorities not to discriminate in exercising functions under Education Acts), as amended by section 33(1) of the Education Act 1980, for the words " the Education Acts 1944 to 1980 " there are substituted the words " the Education Acts 1944 to 1981 ".

*Race Relations Act 1976 (c. 74)*

12 In section 18(1) of the Race Relations Act 1976 (local education authorities not to discriminate in exercising functions under Education Acts), as amended by section 33(1) of the Education Act 1980, for the words " the Education Acts 1944 to 1980" there are substituted the words " the Education Acts 1944 to 1981 ".

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*Status: This is the original version (as it was originally enacted).*

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*National Health Service Act 1977 (c. 49)*

- 13 In paragraph 1(a)(ii) of Schedule 1 to the National Health Service Act 1977 (medical and dental treatment of children) after the words "Education Act 1944" there are inserted the words " or the Education Act 1981 ".

*Education Act 1980 (c. 20)*

- 14 In section 9(2) of the Education Act 1980 (application of that Act to special schools etc.) for the words "in need of special educational treatment" there are substituted the words " in respect of whom statements are maintained under section 7 of the Education Act 1981 (special educational needs) ".
- 15 In section 10 of the Act of 1980 (determination of school to be named in school attendance order)—
- (a) in subsection (4), after the word "aptitude" there are inserted the words "and any special educational needs he may have " ; and
  - (b) in subsection (5), for the words from " who are " to the end there are substituted the words " in respect of whom the local education authority maintain a statement under section 7 of the Education Act 1981 (special educational needs) ".
- 16 In section 11 of the Act of 1980 (amendment of school attendance order)—
- (a) at the end of subsection (2)(b) there are inserted the words " and to any special educational needs he may have " ; and
  - (b) in subsection (3) for the words from " who are " to the end there are substituted the words " in respect of whom the local education authority maintain a statement under section 7 of the Education Act 1981 (special educational needs) ".