



# Education Act 1996

## 1996 CHAPTER 56

### PART X

#### MISCELLANEOUS AND GENERAL

#### CHAPTER VI

#### GENERAL

#### *Documents and evidence*

#### **563 Educational records.**

- (1) Regulations may make provision as to—
  - (a) the keeping, disclosure and transfer of educational records about persons receiving education at schools to which this section applies; and
  - (b) the supply of copies of such records to such persons, and in such circumstances, as may be determined by or under the regulations.
- (2) The regulations may authorise persons who supply copies of such records in pursuance of the regulations to charge such fee as they think fit (not exceeding the cost of supply) in respect of each copy so supplied.
- (3) The schools to which this section applies are—
  - (a) any school maintained by a local education authority; [<sup>F1</sup>and]
  - <sup>F2</sup>(b) .....
  - (c) any special school not maintained by a local education authority.

#### **Textual Amendments**

- F1** Word at the end of s. 563(3)(a) inserted (1.9.1999) by 1998 c. 31, s. 140(1), **Sch. 30 para. 172(a)** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch. 1**

*Status: Point in time view as at 01/09/2000.*

*Changes to legislation: Education Act 1996, Cross Heading: Documents and evidence is up to date with all changes known to be in force on or before 21 March 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)*

**F2** S. 563(3)(b) repealed (1.9.1999) by 1998 c. 31, s. 140(1)(3), Sch 30 para. 172(b), **Sch.31** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch. 1**

## 564 Certificates of birth and registrars' returns.

- (1) Where the age of any person is required to be proved for the purposes of this Act or of any enactment relating to the employment of children or young persons, the registrar having the custody of the register of birth and deaths containing the entry relating to the birth of that person shall—
  - (a) on being presented by any person (“the applicant”) with a written requisition in such form and containing such particulars as may be determined by regulations, and
  - (b) on payment of a fee of [<sup>F3</sup>£3.50][<sup>F3</sup>£6.50],
 supply the applicant with a copy of the entry certified under his hand.
- (2) A registrar shall, on being requested so to do, supply free of charge a form of requisition for the purposes of subsection (1).
- (3) A registrar shall supply to a local education authority such particulars of the entries contained in any register of births and deaths in his custody, and in such form, as (subject to regulations) the authority may from time to time require.
- (4) In this section—
 

“register of births and deaths” means a register of births and deaths kept under the <sup>M1</sup>Births and Deaths Registration Act 1953, and

“registrar” includes a registrar of births and deaths and a superintendent registrar.

### Textual Amendments

**F3** S. 564(1)(b): fees of £3.50 and £6.50 made payable (1.4.1999) in respect of copies issued by (i) a registrar and (ii) a superintendent registrar respectively by virtue of **S.I. 1998/3171, art. 2, Sch.** (which S.I. was revoked (1.4.2000) by **S.I. 1999/3311, art. 3**); and those same fees payable (1.4.2000) by virtue of **S.I. 1999/3311, art. 2, Sch.** (which S.I. was revoked (1.4.2003) by **S.I. 2002/3076, art. 3**)

### Marginal Citations

**M1** 1953 c. 20.

## 565 Evidence: presumption as to age.

- (1) Where in any proceedings under this Act the person by whom the proceedings are brought—
  - (a) alleges that any person whose age is material to the proceedings is under, of, or over, any age, and
  - (b) satisfies the court that, having used all reasonable diligence to obtain evidence as to the age of that person, he has been unable to do so,
 the court may, unless the contrary is proved, presume that person to be under, of, or (as the case may be) over, the age alleged.
- (2) This section has effect subject to section 445(3).

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## **566 Evidence: documents.**

- (1) In any legal proceedings, any of the following documents, namely—
- (a) a document purporting to be a document issued by a local education authority, and to be signed by the clerk of that authority or by the chief education officer of that authority or by any other officer of the authority authorised to sign it,
  - (b) a document purporting to be an extract from the minutes of the proceedings of the governing body of [<sup>F4</sup>a maintained school], and to be signed by the chairman of the governing body or by their clerk,
  - (c) a document purporting to be a certificate giving particulars of the attendance of a child or young person at a school, and to be signed by the head teacher of the school, and
  - (d) a document purporting to be a certificate issued by a medical officer of a local education authority, and to be signed by such an officer,
- shall be received in evidence and shall be treated, without further proof, as the document which it purports to be and as having been signed by the person by whom it purports to have been signed, unless the contrary is proved.
- (2) In any legal proceedings, any such extract or certificate as is mentioned in subsection (1)(b), (c) or (d) shall be evidence of the matters stated in it.

### **Textual Amendments**

**F4** Words in s. 566(1)(b) substituted (1.9.1999) by 1998 c. 31, ss. 140(1), 145(3), **Sch. 30 para.173** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch. 1**

**Status:**

Point in time view as at 01/09/2000.

**Changes to legislation:**

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