



Education and Inspections Act 2006

2006 CHAPTER 40

PART 7

DISCIPLINE, BEHAVIOUR AND EXCLUSION

CHAPTER 1

SCHOOL DISCIPLINE

Confiscation from pupils

94 Defence where confiscation lawful

- (1) This section applies where, as a disciplinary penalty—
 - (a) an item which a pupil has with him or in his possessions is seized, and
 - (b) the item is retained for any period or is disposed of.
- (2) A person who seizes, retains or disposes of the item is not liable in any proceedings in respect of—
 - (a) the seizure, retention or disposal (as the case may be), or
 - (b) any damage or loss which arises in consequence of it,if he proves that the seizure, retention or disposal (as the case may be) was lawful (whether or not by virtue of section 91).
- (3) Nothing in this section applies where an item is seized under section 550AA of EA 1996 (provision as to what is to be done with such an item being made by that section).
- (4) This section is not to be construed as preventing any person relying on any defence on which he is entitled to rely apart from this section.