

Status: This version of this provision is prospective.

Changes to legislation: Education and Skills Act 2008, Section 55 is up to date with all changes known to be in force on or before 21 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



Education and Skills Act 2008

2008 CHAPTER 25

PART 1

DUTY TO PARTICIPATE IN EDUCATION OR TRAINING: ENGLAND

CHAPTER 5

ATTENDANCE NOTICES

Failure to comply with attendance notice

PROSPECTIVE

55 Non-participation fines: interpretation

(1) In this section and sections 56 to 59—

“non-participation fine” means a fine imposed—

- (a) for an offence under section 51, or
- (b) in respect of a failure to comply with any sentence imposed for such an offence;

“the relevant sum”, in relation to a non-participation fine, means—

- (a) the non-participation fine,
- (b) any surcharge ordered under [^{F1}section 42 of the Sentencing Code] (surcharges) to be paid solely in relation to the offence, and
- (c) any costs ordered by a court to be paid by the person on whom the fine was imposed in connection with the offence or proceedings relating to the offence or any sentence imposed (including proceedings on appeal);

“relevant [^{F2}local authority]”, in relation to a non-participation fine, means the [^{F2}local authority] which issued the penalty notice under section 53 in respect of the offence to which the fine relates.

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(2) References in those sections to a fine being imposed are, in the case of a fine varied or confirmed on appeal, references to its being varied or confirmed.

Textual Amendments

- F1** Words in s. 55(1) substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 271](#) (with [Sch. 24 para. 447](#), [Sch. 27](#)); S.I. 2020/1236, reg. 2
- F2** Words in Act substituted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), [Sch. 2 para. 15\(2\)](#)

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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. 91(3)(c) inserted by [2022 asc 1 Sch. 4 para. 22\(3\)](#)