



Education (Miscellaneous Provisions) Act 1948

1948 CHAPTER 40

5 Amendment and consolidation of enactments as to provision of clothing

- (1) A local education authority may provide clothing—
- (a) for any pupil who is a boarder at any educational institution maintained by the authority ;
 - (b) for any pupil at a nursery school so maintained; or
 - (c) for any pupil in a nursery class at any school so maintained.

- (2) Where it appears to a local education authority that—
- (a) a pupil not falling within the preceding subsection at a school maintained by them, or
 - (b) a pupil not falling within the preceding subsection at a special school whether maintained by them or not,

is unable by reason of the inadequacy or unsuitability of his clothing to take full advantage of the education provided at the school, the authority may provide him with such clothing as in the opinion of the authority is necessary for the purpose of ensuring that he is sufficiently and suitably clad while he remains a pupil at the school.

- (3) The Minister may make regulations empowering a local education authority to provide—
- (a) for pupils at a school maintained by them, or at a county college or other establishment for further education so maintained, and
 - (b) for persons who make use of facilities for physical training made available for them by the authority under subsection (1) of section fifty-three of the principal Act,

such articles of clothing as may be prescribed suitable for the physical training provided at the school, college or other establishment, or under the facilities so made available.

- (4) A local education authority may, with the consent of the proprietor of a school not maintained by the authority other than a special school, and upon such financial and

other terms, if any, as may be determined by agreement between the authority and the proprietor of the school, make arrangements for securing, for any pupil at the school who is unable by reason of the inadequacy or unsuitability of his clothing to take full advantage of the education provided at the school, the provision of such clothing as is necessary for the purpose of ensuring that he is sufficiently and suitably clad while he remains a pupil at the school :

Provided that any arrangements made under this subsection shall be such as to secure, so far as is practicable, that the expense incurred by the authority in connection with the provision of any article under the arrangements shall not exceed the expense which would have been incurred by them in the provision thereof if the pupil had been a pupil at a school maintained by them.

- (5) Provision of clothing under any of the powers conferred by this section may be made in such way as to confer either a right of property in the clothing or a right of user only, at the option of the providing authority except in any circumstances for which the adoption of one or other way of making such provision is prescribed.
- (6) Where a local education authority have, under the powers conferred by this section, provided a person with clothing, then, in such circumstances respectively as may be prescribed—
 - (a) the authority shall be under obligation to require the parent to pay to them in respect thereof such sum, if any, as in the opinion of the authority he is able without financial hardship to pay, not exceeding the cost to the authority of the provision ;
 - (b) the authority shall have power to require the parent to pay to them in respect thereof such sums as aforesaid or any less sums ; or
 - (c) the parent shall not be required to pay any sum in respect thereof.

Any sum which a parent is duly required to pay by virtue of paragraph (a) or (b) of this subsection may be recovered summarily as a civil debt.

- (7) The preceding provisions of this section shall be in substitution for the provisions of the Education Acts, 1944 and 1946, relating to the provision of clothing.