

1987 No. 1285

EDUCATION, ENGLAND AND WALES

The Pupils' Registration (Amendment) Regulations 1987

<i>Made</i> - - - -	<i>17th July 1987</i>
<i>Laid before Parliament</i>	<i>27th July 1987</i>
<i>Coming into force</i>	<i>1st September 1987</i>

In exercise of the powers conferred by section 80 of the Education Act 1944(a) and vested in the Secretary of State(b), the Secretary of State for Education and Science, as respects England, and the Secretary of State for Wales, as respects Wales, hereby make the following Regulations:

1. These Regulations may be cited as the Pupils' Registration (Amendment) Regulations 1987 and shall come into force on 1st September 1987.

2. For paragraph (a)(x) of regulation 4 of the Pupils' Registration Regulations 1956(c), there shall be substituted the following—

“(x) where the pupil is registered at a school maintained by an Authority, that he has been permanently excluded from the school:

Provided that, where any provision made by virtue of section 24(a) or 25(a) of the Education (No. 2) Act 1986(d) applies in relation to the exclusion of such a pupil, the pupil shall, for the purpose of this sub-paragraph, be regarded as having been permanently excluded from the school if and only if the Authority or, as the case may be, governing body, have decided, pursuant to that provision, that the pupil should not be reinstated; and

Provided always that, in the event of a pupil who has been permanently excluded from such a school ceasing to be so excluded, the name of the pupil shall forthwith be restored to the Admission Register:”.

17th July 1987

Kenneth Baker
Secretary of State for Education and Science

17th July 1987

Peter Walker
Secretary of State for Wales

(a) 1944 c.31; section 80 was repealed in part and extended by the Education (Miscellaneous Provisions) Act 1948 (c.40), section 4 and Schedule 2; and was amended by the Education Act 1980 (c.20), Schedule 1, paragraph 1.
(b) S.I. 1964/490, 1970/1536, 1978/274.
(c) S.I. 1956/357.
(d) 1986 c.61.

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Pupils' Registration Regulations 1956 provide (among other things) in the case of maintained schools, for the name of a pupil to be deleted from the Admission Register maintained under those Regulations upon the pupil being excluded, other than temporarily, from such a school, but with the proviso that the pupil's name shall be reinstated if, in the result of an appeal, the Secretary of State determines that the pupil has been excluded on other than reasonable grounds (regulation 4(a)(x)).

These Regulations amend those 1956 Regulations in the light of the new right of appeal in cases of expulsion introduced by the Education (No. 2) Act 1986.

The requirement in regulation 4(a)(x) of the 1956 Regulations to delete a pupil's name where he has been permanently excluded from school is amended so that, in a case where the local education authority or the governing body are under the duty described in section 24(a) or 25(a) of the Education (No. 2) Act 1986 to decide whether an expelled pupil should be reinstated, it does not arise until they have decided that he should not be reinstated.

The reference to an appeal to the Secretary of State in the proviso to regulation 4(a)(x) of the 1956 Regulations is removed in favour of a provision which requires a pupil's name to be restored to the Admission Register in any case where he ceases to be excluded from the school.

45p net

ISBN 0 11 077285 7

Printed in the United Kingdom for Her Majesty's Stationery Office

860/WO 1171 C25 7/87 452/1 9385/9527/1930 PS 7944003