
STATUTORY INSTRUMENTS

2007 No. 1867

The Education (Penalty Notices) (England) Regulations 2007

Issue of penalty notices

Authority to issue penalty notices

- 10.**—(1) A head teacher may authorise a deputy or assistant head teacher to issue penalty notices.
(2) But a head teacher may not authorise any other member of staff to issue penalty notices.

Limitation on schools issuing penalty notices

11. A head teacher or deputy or assistant head teacher may only issue a penalty notice in respect of a child who is a registered pupil at the school at which that head teacher, or deputy or assistant head teacher, as the case may be, works.

Limitation on local education authorities issuing penalty notices

12.—(1) Subject to paragraph (2), an officer of a local education authority may only issue a penalty notice in respect of a child —

- (a) who is a registered pupil at a school in the area of that authority;
- (b) for whom that authority has made arrangements for alternative educational provision (whether or not in the area of that authority); or
- (c) who is not, at the time the notice is given, a registered pupil at any school (whether due to permanent exclusion or otherwise) but resides in the area of that authority.

(2) Where a local education authority has entered into an agreement with another local education authority for an officer of that other authority to issue penalty notices in respect of a child to which paragraph (1)(a) or (b) applies, an officer of that other authority may issue a penalty notice in respect of such child.

Several penalty notices in respect of the same offence

13. Where there is more than one person liable for the offence, a separate notice may be issued to each person.