

**Changes to legislation:** Education Act 1996, SCHEDULE 38 is up to date with all changes known to be in force on or before 05 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

SCHEDULES

SCHEDULE 38

Section 582(2).

REPEALS AND REVOCATIONS

PART I

REPEALS COMING INTO FORCE ON 1ST NOVEMBER 1996

| Chapter    | Short title   | Extent of repeal   |
|------------|---|--|
| 1944 c.31. | Education Act 1944.                                     | The whole Act.   |
| 1946 c.49. | Acquisition of Land (Authorisation Procedure) Act 1946. | In Schedule 4, the entry relating to the Education Act 1944.           |
| 1946 c.50. | Education Act 1946.                                     | The whole Act.   |
| 1948 c.40. | Education (Miscellaneous Provisions) Act 1948.          | The whole Act.   |
| 1953 c.33. | Education (Miscellaneous Provisions) Act 1953.          | The whole Act.   |
| 1959 c.53. | Town and Country Planning Act 1959.                     | In Schedule 4, paragraph 4.  |
| 1959 c.60. | Education Act 1959.                                     | The whole Act.   |
| 1961 c.45. | Rating and Valuation Act 1961.                          | The whole Act.   |
| 1962 c.12. | Education Act 1962.                                     | Section 9.<br>Section 13(4).<br>Section 14(2).                         |
| 1963 c.37. | Children and Young Persons Act 1963.                    | Section 38(2).   |
| 1964 c.82. | Education Act 1964.                                     | The whole Act.   |
| 1967 c.3.  | Education Act 1967.                                     | Section 2.<br>In section 6(1), the words from “and this Act” onwards.  |
| 1967 c.80. | Criminal Justice Act 1967.                              | In Part I of Schedule 3, the entry relating to the Education Act 1944. |
| 1968 c.17. | Education Act 1968.                                     | The whole Act.   |

---

**Changes to legislation:** Education Act 1996, SCHEDULE 38 is up to date with all changes known to be in force on or before 05 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

---

|              |   |  |
|--------------|---|--|
| 1968 c.xxxix | Greater London Council (General Powers) Act 1968. | Section 56.  |
| 1970 c.42.   | Local Authority Social Services Act 1970.         | In Schedule 1, the entry relating to the Education Act 1993.   |
| 1970 c.52.   | Education (Handicapped Children) Act 1970.        | The whole Act.   |
| 1972 c.70.   | Local Government Act 1972.                        | Section 192.   |
| 1973 c.16.   | Education Act 1973.                               | Section 1(2).<br>Section 2.<br>In section 5(1), the words from “, and the Education Acts” onwards.<br>In Schedule 1, paragraph 3.  |
| 1973 c.23.   | Education (Work Experience) Act 1973.             | The whole Act.   |
| 1975 c.2.    | Education Act 1975.                               | The whole Act.   |
| 1976 c.5.    | Education (School-leaving Dates) Act 1976.        | The whole Act.   |
| 1976 c.81.   | Education Act 1976.                               | The whole Act.   |
| 1977 c.49.   | National Health Service Act 1977.                 | In Schedule 14, in paragraph 13(1)(b) “7 to 9”.<br>In Schedule 15, paragraphs 2 and 3.   |
| 1979 c.49.   | Education Act 1979.                               | The whole Act.   |
| 1980 c.20.   | Education Act 1980.                               | Sections 1 to 18.<br>Sections 21 and 22.<br>Section 24.<br>Section 26.<br>Sections 28 to 30.<br>Section 33(3).<br>Sections 34 and 35.<br>Section 37.<br>In section 38, subsections (2) and (4) to (6).<br>Schedules 1 to 4.<br>Schedule 7. |
| 1980 c.65.   | Local Government, Planning and Land Act 1980.     | Section 2(3).  |

---

**Changes to legislation:** Education Act 1996, SCHEDULE 38 is up to date with all changes known to be in force on or before 05 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

---

|            |   |  |
|------------|---|--|
| 1981 c.60. | Education Act 1981.                     | The whole Act.   |
| 1982 c.48. | Criminal Justice Act 1982.              | In Schedule 3, the entries relating to the Education Act 1944.   |
| 1984 c.11. | Education (Grants and Awards) Act 1984. | The whole Act.   |
| 1985 c.47. | Further Education Act 1985.             | Section 8(2).  |
| 1986 c.50. | Social Security Act 1986.               | Section 77 so far as relating to section 22 of the Education Act 1980.   |
| 1986 c.61. | Education (No.2) Act 1986.              | Sections 1 to 42.<br>Sections 44 to 47.<br>Sections 51 to 60.<br>In section 62(1), paragraph (a) and the “(b)” immediately following it.<br>In section 63, in subsection (1) the words “(other than under section 2(7), 9(6) or 54)”, in subsection (2) “51 or”, and subsection (2A).<br>In section 65(1), all the definitions except that of “establishment of higher or further education”.<br>In section 66, in subsection (1) “60 and” and “to (3)”, and in subsection (2) “and 59”.<br>In section 67, subsections (2), (5) and (6).<br>Schedules 1 to 3.<br>In Schedule 4, paragraphs 1, 2 and 5.<br>Schedules 5 and 6. |
| 1987 c.15. | Reverter of Sites Act 1987.             | Section 8(1).  |
| 1988 c.40. | Education Reform Act 1988.              | Part I.<br>Section 120(5) and (9).<br>In section 210, in each of subsections (1) and (3)(d) the words “[ <sup>F1</sup> local authorities] or”.   |

---

**Changes to legislation:** Education Act 1996, SCHEDULE 38 is up to date with all changes known to be in force on or before 05 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

---

In section 211, paragraphs (a) and (b) and the words “the school or”.

Sections 212 and 213.

In section 218, in subsection (1) in each of paragraphs (e) and (f) the words “schools and” and paragraph (g), in subsection (7) the words from “or, in such cases” to “the funding authority” and the words “school or” (where first occurring) and “any school or”, and subsections (8) and (13).

Section 222.

Sections 225 and 227.

Section 229(1).

In section 230(1), “section 15(2)”.

In section 232, subsection (3) and, in subsection (4)(b), “3(4)(a), 4(2)(c), 24”.

Section 234.

In section 235, in subsection (1) the definition of “the 1980 Act”.

In section 236, in subsection (1) the words from “section 1” to “section 119” and “sections 212 and 213”, and subsections (2) and (3).

Section 238(2).

Schedules 1 to 4.

In Schedule 12, paragraphs 1 to 8, 14, 17, 24, 25, 34, 35, 37, 54 to 62, 69(4), 76, 77, 81, 82, 87(3), 99, 102, 103 and 106.

1989 c.41.

Children Act 1989.

In Schedule 13, paragraphs 9 and 10.

1989 c.42.

Local Government and Housing Act 1989.

In section 13(9), the definition of “foundation

**Changes to legislation:** Education Act 1996, SCHEDULE 38 is up to date with all changes known to be in force on or before 05 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

|            |  |  |
|------------|--|--|
|            |  | governors” and the “and” immediately following it.   |
|            |  | Section 188.   |
| 1990 c.6.  | Education (Student Loans) Act 1990.                                    | Section 4(2).  |
| 1990 c.19. | National Health Service and Community Care Act 1990.                   | In Schedule 9, paragraph 31.   |
| 1990 c.38. | Employment Act 1990.   | Section 14.<br><br>In section 18(2), the words from “section 14” to “experience”.  |
| 1991 c.21. | Disability Living Allowance and Disability Working Allowance Act 1991. | In Schedule 3, paragraph 12.   |
| 1991 c.49. | School Teachers’ Pay and Conditions Act 1991.                          | Section 6(2).  |
| 1991 No.2. | Diocesan Boards of Education Measure 1991.                             | In section 10(1), the definition of “the 1988 Act”.  |
| 1992 c.13. | Further and Higher Education Act 1992.                                 | Sections 10 to 14.<br><br>Section 59.<br><br>In section 92, the entries for “pupil”, “secondary education” and “school”.<br><br>Section 94(2).<br><br>In Schedule 8, paragraphs 1 to 17, 24 to 26, 28, 43(b), 50, 53, 54, 56, 57 and 82. |
| 1992 c.38. | Education (Schools) Act 1992.  | Section 16.<br><br>In Schedule 4, paragraphs 1 and 4 to 6.   |
| 1993 c.8.  | Judicial Pensions and Retirement Act 1993.                             | In Schedule 6, paragraph 51.   |
| 1993 c.10. | Charities Act 1993.  | In Schedule 2, paragraphs (e) and (g).   |
| 1993 c.35. | Education Act 1993.  | The whole Act.   |
| 1994 c.19. | Local Government (Wales) Act 1994.                                     | Section 21.<br><br>In Schedule 16, paragraphs 8 and 105.   |
| 1994 c.30. | Education Act 1994.  | Section 27(2).   |

**Changes to legislation:** Education Act 1996, SCHEDULE 38 is up to date with all changes known to be in force on or before 05 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

|            |  |   |
|------------|--|---|
|            |  | In Schedule 2, paragraphs 5(2) and (4)(a), 6(2) and (4)(a) and 8(2) to (4). |
| 1995 c.17. | Health Authorities Act 1995.                             | In Schedule 1, paragraphs 112 and 124.                                      |
| 1995 c.18. | Jobseekers Act 1995.                                     | In Schedule 2, paragraphs 3 and 17.   |
| 1995 c.21. | Merchant Shipping Act 1995.                              | In Schedule 13, paragraph 48.   |
| 1995 c.50. | Disability Discrimination Act 1995.                      | Section 29(1) and (2).  |
|            |  | Section 30(7) to (9).   |
| 1996 c.9.  | Education (Student Loans) Act 1996.                      | Section 4(2).   |
| 1996 c.18. | Employment Rights Act 1996.                              | In Schedule 1, paragraph 59.  |
| 1996 c.23. | Arbitration Act 1996.                                    | In Schedule 3, paragraphs 4 and 59.   |
| 1996 c.50. | Nursery Education and Grant-Maintained Schools Act 1996. | Section 7.  |
|            |  | In Schedule 3, paragraphs 1 to 8 and 10 to 15.                              |

#### Textual Amendments

- F1** 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. 7(3)** (with [Sch. 2 para. 7\(4\)\(5\)](#))

## PART II

### REPEALS COMING INTO FORCE ON APPOINTED DAY

| Chapter    | Short title                   | Extent of repeal  |
|------------|-------------------------------|---|
| 1975 c.65. | Sex Discrimination Act 1975.  | In section 82(1), the definition of “upper limit of compulsory school age”. |
| 1976 c.74. | Race Relations Act 1976.      | In section 78(1), the definition of “upper limit of compulsory school age”. |
| 1995 c.36. | Children (Scotland) Act 1995. | In Schedule 4, paragraph 10(a).   |

---

**Changes to legislation:** Education Act 1996, SCHEDULE 38 is up to date with all changes known to be in force on or before 05 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

---

### PART III

#### REVOCATIONS

| S.I. Number     | Title  | Extent of revocation   |
|-----------------|--|------------------------|
| S.I. 1977/293.  | Local Authorities etc.<br>(Miscellaneous Provision)<br>Order 1977.                                     | Article 4(1) and (5).  |
| S.I. 1991/1890. | Education (Financial<br>Delegation for Primary<br>Schools) Regulations 1991.                           | The whole Regulations. |
| S.I. 1992/110.  | Education (Financial<br>Delegation for Primary<br>Schools) (Amendment)<br>Regulations 1992.            | The whole Regulations. |
| S.I. 1992/1548. | Education (National<br>Curriculum) (Foundation<br>Subjects at Key Stage 4)<br>Order 1992.              | The whole Order.       |
| S.I. 1993/2709. | Education (No. 2) Act 1986<br>(Amendment) Order 1993.  | The whole Order.       |
| S.I. 1993/2827. | Education (No. 2) Act 1986<br>(Amendment) (No. 2) Order<br>1993.                                       | The whole Order.       |
| S.I. 1994/692.  | Education (No. 2) Act 1986<br>(Amendment) Order 1994.  | The whole Order.       |
| S.I. 1994/1814. | Education (National<br>Curriculum) (Foundation<br>Subjects at Key Stage 4)<br>Order 1994.              | The whole Order.       |
| S.I. 1994/2092. | Education (No. 2) Act 1986<br>(Amendment) (No. 2) Order<br>1994.                                       | The whole Order.       |
| S.I. 1994/2732. | Education (No. 2) Act 1986<br>(Amendment) (No. 3) Order<br>1994.                                       | The whole Order.       |
| S.I. 1996/710.  | Local Government Changes<br>for England (Education)<br>(Miscellaneous Provisions)<br>Regulations 1996. | Regulation 19.         |
| S.I. 1996/951.  | Deregulation (Length of the<br>School Day) Order 1996.   | The whole Order.       |

**Changes to legislation:**

Education Act 1996, SCHEDULE 38 is up to date with all changes known to be in force on or before 05 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.

[View outstanding changes](#)

**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. 13(2)(ba) substituted for s. 13(2)(aa)(b) by [2022 asc 1 Sch. 4 para. 8\(2\)](#)
- s. 15A(3A) inserted by [2022 asc 1 Sch. 4 para. 8\(3\)](#)
- s. 15B(3)(c) inserted by [2022 asc 1 Sch. 4 para. 8\(4\)](#)
- s. 17A functions made exercisable concurrently by [S.I. 2014/1012 art. 12\(1\)Sch. 2 para. 3](#)
- s. 17A functions made exercisable concurrently by [S.I. 2014/863 Sch. 2 para. 4](#)
- s. 17A functions made exercisable concurrently by [S.I. 2014/865 Sch. 2 para. 3](#)
- s. 17A functions made exercisable concurrently by [S.I. 2016/653 Sch. 3 para. 3](#)
- s. 17A-17D inserted by [2009 c. 22 s. 45](#)
- s. 17B-17D applied by [2009 c. 22 s. 86\(8\)](#)
- s. 457(4)(i)-(iia) repealed by [2012 c. 5 Sch. 14 Pt. 1](#)
- s. 457(4)(iii) words repealed by [2012 c. 5 Sch. 14 Pt. 1](#)
- s. 508(4) inserted by [2022 asc 1 Sch. 4 para. 8\(7\)](#)
- s. 537AA inserted by [2008 c. 25 Sch. 1 para. 8](#)
- s. 548(7A)(7B) inserted by [2008 c. 25 Sch. 1 para. 9\(5\)](#)
- s. 578(1) words repealed by [2005 c. 18 Sch. 19 Pt. 1](#)