



# Education Act 1996

## 1996 CHAPTER 56

### PART X

#### MISCELLANEOUS AND GENERAL

#### CHAPTER I

#### EDUCATIONAL PREMISES

#### *Nuisance or disturbance on school premises*

#### **547 Nuisance or disturbance on school premises.**

- (1) Any person who without lawful authority is present on premises to which this section applies and causes or permits nuisance or disturbance to the annoyance of persons who lawfully use those premises (whether or not any such persons are present at the time) is guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.
- (2) This section applies to premises, including playgrounds, playing fields and other premises for outdoor recreation, of—
  - (a) any school maintained by a local education authority, <sup>F1</sup> . . .
  - <sup>F2</sup>(aa) any special school not so maintained, and
  - (ab) any independent school.]
  - <sup>F1</sup>(b) . . . . .
- <sup>F3</sup>(2A) This section also applies to any premises which are—
  - (a) provided by a local education authority under section 508, and
  - (b) used wholly or mainly in connection with the provision of instruction or leadership in sporting, recreational or outdoor activities.]
- (3) If—

*Status: Point in time view as at 31/03/2004.*

*Changes to legislation: Education Act 1996, Cross Heading: Nuisance or disturbance on school premises is up to date with all changes known to be in force on or before 03 June 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)*

- (a) a police constable, or
  - (b) (subject to subsection (5)) a person whom [<sup>F4</sup>the appropriate authority has] authorised to exercise the power conferred by this subsection,
- has reasonable cause to suspect that any person is committing or has committed an offence under this section, he may remove him from the premises in question.
- [<sup>F5</sup>(4) In subsection (3) “the appropriate authority” means—
- (a) in relation to premises of a foundation, voluntary aided or foundation special school, a local education authority or the governing body,
  - (b) in relation to—
    - (i) premises of any other school maintained by a local education authority, and
    - (ii) premises provided by a local education authority as mentioned in subsection (2A),
 a local education authority, and
  - (c) in relation to premises of a special school which is not so maintained or of an independent school, the proprietor of the school.]
- (5) A local education authority may not authorise a person to exercise the power conferred by subsection (3) in relation to premises of [<sup>F6</sup>a foundation, voluntary or foundation special school] without first obtaining the consent of the governing body.
- [<sup>F7</sup>(6) No proceedings for an offence under this section shall be brought by any person other than—
- (a) a police constable, or
  - (b) an authorised person.
- (7) In subsection (6) “authorised person” means—
- (a) in relation to an offence committed on premises of a foundation, voluntary aided or foundation special school, a local education authority or a person whom the governing body have authorised to bring such proceedings,
  - (b) in relation to an offence committed—
    - (i) on premises of any other school maintained by a local education authority, or
    - (ii) on premises provided by a local education authority as mentioned in subsection (2A),
 a local education authority, and
  - (c) in relation to an offence committed on premises of a special school which is not so maintained or of an independent school, a person whom the proprietor of the school has authorised to bring such proceedings.]
- (8) A local education authority may not bring proceedings for an offence under this section committed on premises of [<sup>F6</sup>a foundation, voluntary or foundation special school] without first obtaining the consent of the governing body.

#### Textual Amendments

- F1** S. 547(2)(b) and preceding word repealed (1.9.1999) by School Standards and Framework Act 1988 (c. 31), s. 140(1)(3), Sch. 30 para. 163(a), Sch. 31 (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), Sch. 1

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- F2** S. 547(2)(aa)(ab) inserted (1.10.2002 for E., 1.9.2003 for W.) by Education Act 2002 (c. 32), s. 216(4), **Sch. 20 para. 1(2)** (with ss. 210(8), 214(4)); S.I. 2002/2439, art. 3; S.I. 2003/1718, art. 5, Sch. Pt. II
- F3** S. 547(2A) inserted (1.10.2002 for E., 1.9.2003 for W.) by Education Act 2002 (c. 32), s. 216(4), **Sch. 20 para. 1(3)** (with ss. 210(8), 214(4)); S.I. 2002/2439, art. 3; S.I. 2003/1718, art. 5, Sch. Pt. II
- F4** Words in s. 547(3)(b) substituted (1.10.2002 for E., 1.9.2003 for W.) by Education Act 2002 (c. 32), s. 216(4), **Sch. 20 para. 1(4)** (with ss. 210(8), 214(4)); S.I. 2002/2439, art. 3; S.I. 2003/1718, art. 5, Sch. Pt. II
- F5** S. 547(4) substituted (1.10.2002 for E., 1.9.2003 for W.) by Education Act 2002 (c. 32), s. 216(4), **Sch. 20 para. 1(5)** (with ss. 210(8), 214(4)); S.I. 2002/2439, art. 3; S.I. 2003/1718, art. 5, Sch. Pt. II
- F6** Words in s. 547(5)(8) substituted (1.9.1999) by School Standards and Framework Act 1988 (c. 31), s. 140(1), **Sch. 30 para. 163(c)** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch. 1**
- F7** S. 547(6)(7) substituted (1.10.2002 for E., 1.9.2003 for W.) by Education Act 2002 (c. 32), s. 216(4), **Sch. 20 para. 1(6)** (with ss. 210(8), 214(4)); S.I. 2002/2439, art. 3; S.I. 2003/1718, art. 5, Sch. Pt. II

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