

Changes to legislation: Education Act 1996, Paragraph 8 is up to date with all changes known to be in force on or before 08 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

[^{F1}SCHEDULE 35B

MEANING OF “ELIGIBLE CHILD” FOR PURPOSES OF SECTION 508B

Textual Amendments

- F1** Sch. 35B inserted (1.9.2007 for the insertion of Sch. 35B para. 1 for specified purposes and paras. 2-10, 14, 15 for all purposes, 1.9.2008 in so far as not already in force) by [Education and Inspections Act 2006](#) (c. 40), s. 188(3), **Sch. 8**; S.I. 2007/1801, art. 4(k); S.I. 2008/1971, art. 2(b)

Children outside walking distance where no suitable alternative arrangements made

- 8 (1) Where—
- (a) a child of compulsory school age has been excluded from a relevant school,
 - (b) he remains for the time being a registered pupil at the school, and
 - [^{F2}(c) the appropriate authority for the school has made arrangements for the provision of full-time education for him otherwise than at the school or at his home during the period of exclusion,]
- paragraph 6 has effect as if the place at which [^{F3}the education is provided] were a qualifying school and the child were a registered pupil at that school (and not at the school mentioned in paragraph (b)).
- (2) For the purposes of sub-paragraph (1)—
- (a) “relevant school” and “appropriate authority” have the same meaning as in section 444ZA (application of section 444 to alternative educational provision), and
 - [^{F4}(b) in relation to a maintained school or a pupil referral unit, references in that sub-paragraph to exclusion are references to exclusion under [^{F5}section 51A] of the Education Act 2002.]]

Textual Amendments

- F2** Sch. 35B para. 8(1)(c) substituted (1.9.2012) by [Education and Skills Act 2008](#) (c. 25), s. 173(4), **Sch. 1 para. 52(2)**; S.I. 2012/2197, art. 2(c)
- F3** Words in Sch. 35B para. 8(1) substituted (1.9.2012) by [Education and Skills Act 2008](#) (c. 25), s. 173(4), **Sch. 1 para. 52(3)**; S.I. 2012/2197, art. 2(c)
- F4** Sch. 35B para. 8(2)(b) substituted (1.9.2012) by [Education and Skills Act 2008](#) (c. 25), s. 173(4), **Sch. 1 para. 52(4)**; S.I. 2012/2197, art. 2(c)
- F5** Words in Sch. 35B para. 8(2)(b) substituted (1.9.2012) by [Education Act 2011](#) (c. 21), s. 82(3), **Sch. 1 para. 7**; S.I. 2012/1087, art. 3 (with art. 4)

Changes to legislation:

Education Act 1996, Paragraph 8 is up to date with all changes known to be in force on or before 08 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](#)