

Changes to legislation: Education Act 1996, Paragraph 7 is up to date with all changes known to be in force on or before 18 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 35C

SCHOOL TRAVEL SCHEMES

Textual Amendments

- F1** Sch. 35C inserted (1.4.2007) by [Education and Inspections Act 2006 \(c. 40\)](#), s. 188(3), [Sch. 9](#); [S.I. 2007/935](#), art. 5(dd)

Charges

- 7 (1) For the purposes of paragraph 5(3), a child falls within this sub-paragraph if—
- (a) he is of compulsory school age and is any of the following—
 - a child with special educational needs;
 - a disabled child;
 - a child with mobility problems,
 - (b) he is a registered pupil at a qualifying school which is not within walking distance of his home, and
 - (c) no suitable arrangements have been made by the [^{F2}local authority] for enabling him to become a registered pupil at a qualifying school nearer to his home.
- (2) For the purposes of paragraph 5(3), a child falls within this sub-paragraph if—
- (a) he is of compulsory school age and is any of the following—
 - a child with special educational needs;
 - a disabled child;
 - a child with mobility problems,
 - (b) he is receiving education at a place other than a school by virtue of arrangements made in pursuance of section 19(1), and
 - (c) that place is not within walking distance of his home.
- (3) The effect referred to in paragraph 5(3) is that the amount payable in respect of anything provided in pursuance of the scheme for a child falling within sub-paragraph (1) or (2) is not to exceed the amount (if any) which would be payable under the scheme if—
- (a) he were a child who is not a child with special educational needs, a disabled child or a child with mobility problems,
 - (b) in the case of a child falling within sub-paragraph (1), he were registered as a pupil at his nearest qualifying school, and
 - (c) he took full advantage of any arrangements under the scheme for the provision of transport for persons of his description.

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- (4) In sub-paragraph (3)(b), the reference to the child's nearest qualifying school is to whichever of the following is the nearest to his home to provide education for persons of his age who are not children with special educational needs, disabled children or children with mobility problems—
- (a) a community school,
 - (b) a foundation school,
 - (c) a voluntary school,
 - (d) an Academy,
 - (e) a city technology college, and
 - (f) a city college for the technology of the arts.]

Textual Amendments

- F2** 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(2)** (with Sch. 2 para. 7(4)(5))

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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](#)