

Status: This version of this cross heading contains provisions that are prospective.
Changes to legislation: Education and Skills Act 2008, Cross Heading: Education Act 1996 (c. 56) is up to date with all changes known to be in force on or before 22 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 1

MINOR AND CONSEQUENTIAL AMENDMENTS

PART 2

MISCELLANEOUS

Education Act 1996 (c. 56)

48 The Education Act 1996 is amended as follows.

Commencement Information

II Sch. 1 para. 48 in force at 1.9.2012 for specified purposes by [S.I. 2012/2197](#), [art. 2\(c\)](#)

PROSPECTIVE

49 In section 439 (school attendance: specification of schools), in subsection (2), after “section” insert “ 88C or ”.

50 In section 444A(1)(b) (penalty notice in respect of failure to secure regular attendance at school of registered pupil), for sub-paragraph (iii) and the “or” before that sub-paragraph substitute—

“(iii) in a case falling within subsection (1A) of that section, to a place at which education is provided for a child in the circumstances mentioned in that subsection, or

(iv) in a case falling within subsection (1B) of that section, to a place at which a child is required to attend in the circumstances mentioned in that subsection.”.

Commencement Information

I2 Sch. 1 para. 50 in force at 1.9.2012 by [S.I. 2012/2197](#), [art. 2\(c\)](#)

51 In section 566(3) (evidence: documents)—

(a) in paragraph (a), after “subsection (1)” insert “ or (1A) ”;

(b) in paragraph (b), after “subsection” insert “ (1B) or ”.

Commencement Information

I3 Sch. 1 para. 51 in force at 1.9.2012 by [S.I. 2012/2197](#), [art. 2\(c\)](#)

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- 52 (1) Paragraph 8 of Schedule 35B (meaning of “eligible child” for purposes of section 508B) is amended as follows.
- (2) In sub-paragraph (1), for paragraph (c) substitute—
- “**(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,”.
- (3) In that sub-paragraph, for “the child is required to attend” substitute “ the education is provided ”.
- (4) In sub-paragraph (2), for paragraph (b) substitute—
- “**(b)** in relation to a maintained school or a pupil referral unit, references in that sub-paragraph to exclusion are references to exclusion under section 52 of the Education Act 2002.”

Commencement Information

I4 Sch. 1 para. 52 in force at 1.9.2012 by [S.I. 2012/2197](#), **art. 2(c)**

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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. 91(3)(c) inserted by [2022 asc 1 Sch. 4 para. 22\(3\)](#)