



Children and Young Persons (Scotland) Act 1937

1937 CHAPTER 37 1 Edw 8 and 1 Geo 6

PART II

PREVENTION OF CRUELTY AND EXPOSURE TO MORAL AND PHYSICAL DANGER

Offences

21 Punishment of vagrants preventing children from receiving education.

- (1) If a person habitually wanders from place to place and takes with him any child who has attained the age of five years, [^{F1}or any young person who has not attained the age at which under the enactments relating to education children cease to be of school age], he shall, unless he proves that the child [^{F2}or young person is not, by being so taken with him, prevented from receiving efficient education suitable to his age, ability and aptitude, be liable on conviction by a court of summary jurisdiction to a fine not exceeding [^{F3}level 1 on the standard scale].]
- (2) Any constable who finds a person wandering from place to place and taking a child [^{F1}or young person] with him may, if he has reasonable ground for believing that the person is guilty of an offence under this section, apprehend him without a warrant and . . . ^{F4}
- (3) Without prejudice to the requirements of [^{F5}the ^{M1}Education (Scotland) Act 1962], as to school attendance or to proceedings thereunder, this section shall not, during the months of April to September inclusive, apply to any child whose parent or guardian is engaged in a trade or business of such a nature as to require him to travel from place to place, if a certificate has been obtained that the child has made not less than two hundred attendances at a public school during the months of October to March immediately preceding.

Status: Point in time view as at 01/11/1996. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Children and Young Persons (Scotland) Act 1937, Section 21. (See end of Document for details)

Textual Amendments

- F1 Words inserted by [Education \(Scotland\) Act 1945 \(c. 37\)](#), **Sch. 4**
- F2 Words substituted by [Education \(Scotland\) Act 1945 \(c. 37\)](#), **Sch. 4**
- F3 Words substituted by virtue of [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#), **s. 289F**, 289G
- F4 Words repealed by [Social Work \(Scotland\) Act 1968 \(c. 49\)](#), s. 95, **Sch. 9 Pt. I**
- F5 Words substituted by virtue of [Interpretation Act 1978 \(c. 30\)](#), **s. 17(2)(a)**

Modifications etc. (not altering text)

- C1 [S. 21](#) amended by [Criminal Procedure \(Scotland\) Act 1975 \(c. 21\)](#), **ss. 168**, 364

Marginal Citations

- M1 [1962 c. 47](#).

Status:

Point in time view as at 01/11/1996. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Children and Young Persons (Scotland) Act 1937, Section 21.