



# Education (Miscellaneous Provisions) Act 1948

## 1948 CHAPTER 40

### **4 Provisions as to pupils becoming registered pupils at, and being withdrawn from, schools**

- (1) A local education authority shall have power to make arrangements with respect to a primary school maintained by them, not being a school which is for the time being organised for the provision of both primary and secondary education, under which any junior pupils who have attained the age of ten years and six months and who are registered pupils at the school may be required to be withdrawn therefrom for the purpose of receiving secondary education.
- (2) The provision of section eight of the principal Act which renders it the duty of every local education authority to secure that there shall be available for their area sufficient schools for providing primary and secondary education shall not be construed as imposing any obligation on proprietors of schools to admit children as registered pupils otherwise than at the beginning of a school term, except as regards admission at a school during the currency of a school term of a child who was prevented from entering the school at the beginning of the term—
  - (a) by his being ill or by other circumstances beyond his parent's control; or
  - (b) by his parent's having been then resident at a place whence the school was not accessible with reasonable facility ;

and, notwithstanding anything in section thirty-six of the principal Act, the parent of a child shall not be under any duty to cause him to receive full-time education during any period during which, having regard to the preceding provisions of this subsection, it is not practicable for the parent to arrange for him to become a registered pupil at a school.

- (3) In cases not falling within the exception mentioned in the last preceding subsection, the managers or governors of schools maintained by a local education authority shall comply, as respects the time of admission of children as registered pupils, with any general directions given by the authority in that behalf.

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*Status: This is the original version (as it was originally enacted).*

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- (4) In subsection (1) of section eighty of the principal Act (which requires the proprietor of every school to cause a register to be kept containing particulars of all persons of compulsory school age who are pupils at the school), the words " of compulsory school age " are hereby repealed.
- (5) Subsection (3) of the said section eighty (which requires regulations to be made as to the procedure by which children may become registered pupils at a school, and may be withdrawn from a school) shall cease to have effect.
- (6) The regulations made under the said section eighty shall prescribe the grounds on which names are to be deleted from a register kept thereunder, and the name of a person entered in such a register as a registered pupil shall be deleted therefrom when occasion arises on some one or other of the prescribed grounds and shall not be deleted therefrom on any other ground.