



Education Act 1944

1944 CHAPTER 31

PART II

THE STATUTORY SYSTEM OF EDUCATION.

PRIMARY AND SECONDARY EDUCATION.

Compulsory Attendance at Primary and Secondary Schools.

38 Additional provisions as to compulsory attendance at special schools.

- (1) While the upper limit of the compulsory school age is, in relation to other children, less than sixteen, a person who is a registered pupil at a special school shall nevertheless be deemed to be of compulsory school age until he attains the age of sixteen years and shall not be deemed to be over compulsory school age until he has attained that age.
- (2) A child who has under arrangements made by a local education authority become a registered pupil at a special school shall not be withdrawn from the school without the consent of that authority ; but if the parent of any such child is aggrieved by a refusal of the authority to comply with an application made by the parent requesting such consent, he may refer the question to the Minister, who shall give such direction thereon as he thinks fit.
- (3) No direction given by the Minister under the last foregoing subsection or under subsection (3) or subsection (4) of the last foregoing section shall be such as to require a pupil to be a registered pupil at a special school unless either the parent consents to his attending such a school or there is in force a certificate issued by a medical officer of the local education authority showing that the child is suffering from some disability of mind or body of such a nature and extent that, in the opinion of the Minister, it is expedient that the child should attend a special school.