
STATUTORY INSTRUMENTS

2007 No. 1867

The Education (Penalty Notices) (England) Regulations 2007

Interpretation

2.—(1) In these Regulations—

“the 1996 Act” means the Education Act 1996;

“the 2006 Act” means the Education and Inspections Act 2006;

“the 2004 Regulations” has the meaning given by regulation 24(1)(a);

“alternative educational provision” means one of the following—

- (a) education provided by a local education authority for a child otherwise than at school or at his home by way of arrangements made under section 19 of the 1996 Act⁽¹⁾;
- (b) education at a place outside the premises of the school at which the child is a registered pupil and which the child is required by the appropriate authority (within the meaning of section 444ZA⁽²⁾ of the 1996 Act) to attend for the purpose of receiving any instruction or training;
- (c) education at the school at which the child is a registered pupil pursuant to arrangements of the description referred to in subsection (3) of section 100 (duty of governing body or proprietor where pupil excluded for a fixed period) of the 2006 Act, whether provided pursuant to the duty imposed by that subsection or otherwise;
- (d) arrangements made for a child by a local education authority at a school (whether or not the school at which the child was, immediately before permanent exclusion, a registered pupil, and whether pursuant to its duty in section 19(3A) of the 1996 Act (duty of local education authority in relation to excluded pupils) or otherwise, in conjunction with arrangements of the type referred to in subsection (3) of section 100 of the 2006 Act;

“code of conduct” means the local education authority’s code of conduct for the time being in force pursuant to regulations 14 to 18;

“penalty notice” means a penalty notice issued pursuant to section 444A(1) of the 1996 Act or section 105(1) of the 2006 Act;

“public place” has the meaning given by section 103(8) of the 2006 Act;

“recipient” means a person to whom a penalty notice is given in accordance with section 444A(1) of the 1996 Act or section 105(1) of the 2006 Act, as the case may be; and

“school hours” has the meaning given by section 103(8) of the 2006 Act.

(2) In these Regulations a reference to a deputy or assistant head teacher includes a reference to a person acting as deputy or assistant head teacher, as the case may be⁽³⁾.

(1) Section 19 was amended by sections 47 and 57 of, and Schedule 8 to, the Education Act 1997 (c.44), and section 101 of the 2006 Act.

(2) Section 444ZA was inserted by section 116 of the Education Act 2005.

(3) By section 579(1) of 1996 c. 56 (which applies to penalty notices issued under section 105 of 2006 c. 40 by virtue of section 187(2) and (3)(e) of that Act), “head teacher” includes an acting head teacher.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
