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STATUTORY INSTRUMENTS

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**2012 No. 10**

**The School Admissions (Infant Class  
Sizes) (England) Regulations 2012**

**Excepted pupils**

- 5.—(1) An excepted pupil is a child to whom any of paragraphs 2 to 11 of the Schedule applies.
- (2) A child is not an excepted pupil at a school if suitable education could be provided for that child in an infant class at that school without relevant measures having to be taken.
- (3) In paragraph (2) “relevant measures” means measures which would—
- (a) be required to be taken to ensure compliance with the duty imposed by section 1(6) of SSFA 1998, and
  - (b) prejudice the provision of efficient education or the efficient use of resources.