



Education (School-leaving Dates) Act 1976

1976 CHAPTER 5

An Act to make further provision with respect to school-leaving dates; and for connected purposes. [25th March 1976]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Alteration of summer school-leaving date.

(1) For subsections (3) and (4) of section 9 of the Education Act 1962 (under which a person who attains the age of 16 between the end of January and the beginning of September is deemed to attain the upper limit of compulsory school age at the end of the summer term) there shall be substituted—

“(3) If he attains that age after the end of January but before the next May school-leaving date, he shall be deemed not to have attained that age until that date.

(4) If he attains that age after the May school-leaving date and before the beginning of September next following that date, he shall be deemed to have attained that age on that date.”

(2) After subsection (7) of that section there shall be added—

“(8) In this section " the May school-leaving date " means the Friday before the last Monday in May.”

2 Family allowances and social security.

(1) The power to make regulations under section 13 of the Family Allowances Act 1965 shall include power to provide that a person who has attained the upper limit of compulsory school age for the purposes of that Act shall be treated for those purposes

as being under that limit until such date as may be specified in the regulations; and regulations made by virtue of this subsection may make different provision for different cases.

- (2) In section 2(2)(a) of the said Act of 1965 for the words from " the age that is for the time being " onwards there shall be substituted the words " the age of sixteen " .
- (3) For the purposes of section 56(7) of the Social Security Act 1975 (injury benefit) a person shall be treated as not having attained school-leaving age if he would be treated as being under the upper limit of compulsory school age for the purposes of the Family Allowances Act 1965.
- (4) In sections 4(2)(a), 7(1) and 8(1) of the said Act of 1975 (contributions) for the words " over school-leaving age " there shall be substituted the words " over the age of 16 " .

3 Citation, repeals, commencement and extent.

- (1) This Act may be cited as the Education (School-leaving Dates) Act 1976.
- (2) The Education Acts 1944 to 1975 and this Act may be cited together as the Education Acts 1944 to 1976.
- (3) The enactments mentioned in the Schedule to this Act (which include provisions that are spent in consequence of the Raising of the School Leaving Age Order 1972) are hereby repealed to the extent specified in the third column of that Schedule.
- (4) Section 21(2) of the Child Benefit Act 1975 (repeals consequential on the introduction of child benefit) shall have effect as if section 2(1) to (3) above were included among the enactments mentioned in Part I of Schedule 5 to that Act.
- (5) Section 2(4) above and so much of the Schedule to this Act as relates to the Social Security Act 1975 shall not come into force until 6th April 1976.
- (6) This Act does not extend to Northern Ireland; and section 1 above does not extend to Scotland.

SCHEDULE

Section 3(3).

REPEALS

Chapter	Short Title	Extent of Repeal
7 & 8 Geo. 6. c. 31.	The Education Act 1944.	Section 38(1). In section 114, in subsection (1) in the definition of " compulsory school age" the words " subject to the provisions of section thirty-eight of this Act " and subsection (6).
10 & 11 Eliz. 2. c. 12.	The Education Act 1962.	In section 9, the proviso to subsection (5), subsection (6) and in subsection (7) the definition of " the appropriate summer term " (together with the word " and " immediately preceding it) and the words " or month of September (as the case may be) ".
1964 c. 82.	The Education Act 1964.	Section 2. In section 5(3) and (6) the words " and 2 ".
1965 c. 53.	The Family Allowances Act 1965.	Section 2(2)(b).
1967 c. 90.	The Family Allowances and National Insurance Act 1967.	Section 2(1) and (2).
1973 c. 38.	The Social Security Act 1973.	In Schedule 27, paragraph 22.
1975 c. 14.	The Social Security Act 1975.	In Schedule 20, the definition of " school-leaving age ".
1975 c. 61.	The Child Benefit Act 1975.	In Schedule 4, in paragraph 38, the words " and ' School-leaving age ' " (in the opening passage) and the definitions of " School-leaving age " and " The upper limit of compulsory school age ".
		In Schedule 5 the repeal in the Education Act 1962, the repeal of section 2(1) and (2) of the Family Allowances and National Insurance Act 1967 and the repeal of the definition of " School-leaving

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

Chapter	Short Title	Extent of Repeal
		age " in Schedule 20 to the Social Security Act 1975.