

Status: Point in time view as at 03/03/2017.

Changes to legislation: Education Act 1996, Paragraph 2 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

[^{F1}SCHEDULE 35B

MEANING OF “ELIGIBLE CHILD” FOR PURPOSES OF SECTION 508B

Textual Amendments

- F1** Sch. 35B inserted (1.9.2007 for the insertion of Sch. 35B para. 1 for specified purposes and paras. 2-10, 14, 15 for all purposes, 1.9.2008 in so far as not already in force) by [Education and Inspections Act 2006](#) (c. 40), s. 188(3), **Sch. 8**; S.I. 2007/1801, art. 4(k); S.I. 2008/1971, art. 2(b)

Children with special educational needs, a disability or mobility problems

- 2 A child falls within this paragraph if—
- (a) he is of compulsory school age and is any of the following—
 - a child with special educational needs;
 - a disabled child;
 - a child with mobility problems,
 - (b) he is a registered pupil at a qualifying school which is within walking distance of his home,
 - (c) no suitable arrangements have been made by the [^{F2}local authority] for enabling him to become a registered pupil at a qualifying school nearer to his home, and
 - (d) having regard to whichever of the following are relevant—
 - his special educational needs;
 - his disability;
 - his mobility problems,he cannot reasonably be expected to walk to the school mentioned in paragraph (b).]

Textual Amendments

- F2** Words in Act substituted (5.5.2010) by [The Local Education Authorities and Children’s Services Authorities \(Integration of Functions\) Order 2010](#) (S.I. 2010/1158), **Sch. 2 para. 7(2)** (with Sch. 2 para. 7(4)(5))

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