



# Education Act 1996

## 1996 CHAPTER 56

### PART IX

#### ANCILLARY FUNCTIONS

#### CHAPTER II

##### ANCILLARY FUNCTIONS OF LOCAL EDUCATION AUTHORITIES

###### *Provision of services*

#### **509 Provision of transport etc.**

- (1) A local education authority shall make such arrangements for the provision of transport and otherwise as they consider necessary, or as the Secretary of State may direct, for the purpose of facilitating the attendance of persons [<sup>F1</sup>not of sixth form age] receiving education—
- (a) at schools,
  - (b) at any institution maintained or assisted by the authority which provides further education or higher education (or both), [<sup>F2</sup> or;]
  - (c) at any institution within the further education sector, <sup>F3</sup> . . .
  - <sup>F3</sup>(d) . . . . .

[<sup>F4</sup>(1A) A local education authority shall make such arrangements for the provision of transport and otherwise as they consider necessary, or as the Secretary of State may direct, for the purpose of facilitating the attendance of persons [<sup>F1</sup>not of sixth form age] receiving education or training at an institution outside both the further education and higher education sectors.

(1B) Arrangements under subsection (1A) may be made in relation to a person only if the Learning and Skills Council for England or the National Council for Education and Training for Wales has secured for him—

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- (a) the provision of education or training at the institution, and
- (b) the provision of boarding accommodation under section 13 or 41 of the Learning and Skills Act 2000.]
- (2) Any transport provided in pursuance of arrangements under subsection (1) [<sup>F5</sup>or (1A)] shall be provided free of charge.
- (3) A local education [<sup>F6</sup>or training] authority may pay the whole or any part, as they think fit, of the reasonable travelling expenses of any person [<sup>F7</sup>not of sixth form age] receiving education—
- (a) at a school, or
- (b) at any such institution as is mentioned in subsection (1) [<sup>F8</sup>or (1A)],
- for whose transport no arrangements are made under [<sup>F9</sup>either of those subsections].
- (4) In considering whether or not they are required by subsection (1) [<sup>F10</sup>or (1A)] to make arrangements in relation to a particular person, a local education authority shall have regard (amongst other things)—
- (a) to the age of the person and the nature of the route, or alternative routes, which he could reasonably be expected to take; and
- (b) to any wish of his parent for him to be provided with education [<sup>F11</sup>or training] at a school or institution in which the religious education provided is that of the religion or denomination to which his parent adheres.
- (5) Arrangements made by a local education authority under subsection (1) [<sup>F12</sup>or (1A)] shall—
- <sup>F13</sup>(a) .....
- (b) make provision for persons receiving full-time education at any institution within the further education sector which is no less favourable than the provision made in pursuance of the arrangements for pupils of the same age at schools maintained by a local education authority; and
- [<sup>F14</sup>(c) make provision for persons receiving full-time education or training at institutions mentioned in subsection (1A) which is no less favourable than the provision made in pursuance of the arrangements for persons of the same age with learning difficulties (within the meaning of section 13 of the Learning and Skills Act 2000) for whom the authority secures the provision of education at any other institution.]
- <sup>F15</sup>(6) .....
- [<sup>F16</sup>(7) References in this section to persons [<sup>F16</sup>not of sixth form age shall be construed in accordance with subsection (1) of section 509AC.]

#### Textual Amendments

- F1** Words in s. 509(1)(1A) inserted (20.1.2003 for E., 1.9.2003 for W.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), [Sch. 19 para. 2\(a\)](#) (with ss. 210(8), 214(4)); S.I. 2002/2952, art. 2; S.I. 2003/1718, art. 5, [Sch. Pt. II](#)
- F2** Word in s. 509(1)(b) inserted (28.7.2000 for certain purposes, otherwise 1.4.2001) by [2000 c. 21](#), s. 149, [Sch. 9 para. 59\(2\)\(a\)](#) (with s. 150); S.I. 2001/654, art. 2(2), [Sch. Pt. II](#) (with art. 3); S.I. 2001/1274, art. 2(1), [Sch. Pt. I](#)
- F3** S. 509(1)(d) and preceding word repealed (28.7.2000 for certain purposes, otherwise 1.4.2001) by [2000 c. 21](#), ss. 149, 153, [Sch. 9 para. 59\(2\)\(b\)](#), [Sch. 11](#) (with s. 150); S.I. 2001/654, art. 2(2), [Sch. Pt. II](#) (with art. 3); S.I. 2001/1274, art. 2(1), [Sch. Pt. I](#)

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- F4** S. 509(1A)(1B) inserted (28.7.2000 for certain purposes, otherwise 1.4.2001) by 2000 c. 21, s. 149, **Sch. 9 para. 59(3)** (with s. 150); S.I. 2001/654, art. 2(2), **Sch. Pt. II** (with art. 3); S.I. 2001/1274, art. 2(1), **Sch. Pt. I**
- F5** Words in s. 509(2) inserted (28.7.2000 for certain purposes, otherwise 1.4.2001) by 2000 c. 21, s. 149, **Sch. 9 para. 59(4)** (with s. 150); S.I. 2001/654, art. 2(2), **Sch. Pt. II** (with art. 3); S.I. 2001/1274, art. 2(1), **Sch. Pt. I**
- F6** Words in s. 509(3) inserted (28.7.2000 for certain purposes, otherwise 1.4.2001) by 2000 c. 21, s. 149, **Sch. 9 para. 59(5)(a)** (with s. 150); S.I. 2001/654, art. 2(2), **Sch. Pt. II** (with art. 3); S.I. 2001/1274, art. 2(1), **Sch. Pt. I**
- F7** Words in s. 509(3) inserted (20.1.2003 for E., 1.9.2003 for W.) by Education Act 2002 (c. 32), s. 216(4), **Sch. 19 para. 2(b)** (with ss. 210(8), 214(4)); S.I. 2002/2952, art. 2; S.I. 2003/1718, art. 5, Sch. Pt. II
- F8** Words in s. 509(3)(b) inserted (28.7.2000 for certain purposes, otherwise 1.4.2001) by 2000 c. 21, s. 149, **Sch. 9 para. 59(5)(b)** (with s. 150); S.I. 2001/654, art. 2(2), **Sch. Pt. II** (with art. 3); S.I. 2001/1274, art. 2(1), **Sch. Pt. I**
- F9** Words in s. 509(3) substituted (28.7.2000 for certain purposes, otherwise 1.4.2001) by 2000 c. 21, s. 149, **Sch. 9 para. 59(5)(c)** (with s. 150); S.I. 2001/654, art. 2(2), **Sch. Pt. II** (with art. 3); S.I. 2001/1274, art. 2(1), **Sch. Pt. I**
- F10** Words in s. 509(4) inserted (28.7.2000 for certain purposes, otherwise 1.4.2001) by 2000 c. 21, s. 149, **Sch. 9 para. 59(6)(a)** (with s. 150); S.I. 2001/654, art. 2(2), **Sch. Pt. II** (with art. 3); S.I. 2001/1274, art. 2(1), **Sch. Pt. I**
- F11** Words in s. 509(4) inserted (28.7.2000 for certain purposes, otherwise 1.4.2001) by 2000 c. 21, s. 149, **Sch. 9 para. 59(6)(b)** (with s. 150); S.I. 2001/654, art. 2(2), **Sch. Pt. II** (with art. 3); S.I. 2001/1274, art. 2(1), **Sch. Pt. I**
- F12** Words in s. 509(5) inserted (28.7.2000 for certain purposes, otherwise 1.4.2001) by 2000 c. 21, s. 149, **Sch. 9 para. 59(7)(a)** (with s. 150); S.I. 2001/654, art. 2(2), **Sch. Pt. II** (with art. 3); S.I. 2001/1274, art. 2(1), **Sch. Pt. I**
- F13** S. 509(5)(a) repealed (1.9.1999) by 1998 c. 31, s. 140(1)(3), Sch. 30 para. 133(a), **Sch. 31** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch. 1**
- F14** S. 509(5)(c) substituted (20.1.2003 for E., 1.9.2003 for W.) by Education Act 2002 (c. 32), s. 216(4), **Sch. 19 para. 2(c)** (with ss. 210(8), 214(4)); S.I. 2002/2952, art. 2; S.I. 2003/1718, art. 5, Sch. Pt. II
- F15** S. 509(6) repealed (20.1.2003 for E., 1.9.2003 for W.) by Education Act 2002 (c. 32), s. 216(4), **Sch. 22 Pt. 3** (with ss. 210(8), 214(4)); S.I. 2002/2952, art. 2; S.I. 2003/1718, art. 5, Sch. Pt. II
- F16** S. 509(7) inserted (20.1.2003 for E., 1.9.2003 for W.) by Education Act 2002 (c. 32), s. 216(4), **Sch. 19 para. 2(d)** (with ss. 210(8), 214(4)); S.I. 2002/2952, art. 2; S.I. 2003/1718, art. 5, Sch. Pt. II

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