



# Education Act 1962

## 1962 CHAPTER 12

### *School leaving dates*

#### **9 School leaving dates in England and Wales**

- (1) The provisions of subsections (2) to (4) of this section shall have effect in relation to any person who on a date when either—
  - (a) he is a registered pupil at a school, or
  - (b) not being such a pupil, he has been a registered pupil at a school within the preceding period of twelve months,attains an age which (apart from this section) would in his case be the upper limit of the compulsory school age.
- (2) If he attains that age on any date from the beginning of September to the end of January, he shall be deemed not to have attained that age until the end of the appropriate spring term at his school.
- (3) If he attains that age on any date on or after the beginning of February but before the end of the appropriate summer term at his school, he shall be deemed not to have attained that age until the end of that summer term.
- (4) If he attains that age on any date between the end of the appropriate summer term at his school and the beginning of September next following the end' of that summer term (whether another term has then begun or not) he shall be deemed to have attained that age at the end of that summer term.
- (5) The provisions of this section shall have effect for the purposes of the Act of 1944, and for the purposes of any enactment whereby the definition of compulsory school age in that Act is applied or incorporated; and for references in any enactment to section eight of the Education Act, 1946, there shall, in relation to compulsory school age, be substituted references to this section:

Provided that for the purposes of any enactment relating to family allowances or national insurance (including industrial injuries insurance) the provisions of this section shall have effect as if subsection (4) thereof were omitted.

- (6) This section shall not apply where the date referred to in subsection (1) thereof is a date before the beginning of September, nineteen hundred and sixty-three.
- (7) In this section " the appropriate spring term ", in relation to a person, means the last term at his school which ends before the month of May next following the date on which he attains the age in question, and " the appropriate summer term ", in relation to a person, means the last term at his school which ends before the month of September next following that date; and any reference to a person's school is a reference to the last school at which he is a registered pupil for a term ending before the said month of May or month of September (as the case may be) or for part of such a term.

## 10 School leaving dates in Scotland

- (1) Section thirty-three of the Scottish Act of 1946 (which relates among other things to the fixing of school leaving dates) shall have effect as if.—
- (a) in subsection (1) thereof, for paragraph (b) there were substituted the following paragraph, that is to say:—
- “(b) two school leaving dates”;
- (b) at the end of the said subsection (1) there were added the following proviso, that is to say:—
- “Provided that—
- (i) in pursuance of any requirement under paragraph (b) of this subsection an education authority may fix different dates for different schools in their area; and
- (ii) if the Secretary of State is satisfied, on the application of the education authority for any area, that, having regard to all the circumstances, it is desirable that for any school in that area three school leaving dates should be fixed, he may require the authority to fix three (but not more than three) school leaving dates for that school.”;
- (c) subsection (4) were omitted; and
- (d) for subsection (5) there were substituted the following subsections, that is to say:—
- “(4) A pupil who was at any time within the period of twelve months preceding the fifteenth anniversary of his birth in attendance at school and who does not attain the age of fifteen years on a school leaving date shall be deemed to be of school age until the school leaving date next following the fifteenth anniversary of his birth or, where that school leaving date falls within a holiday period, until the first day of that holiday period or the fifteenth anniversary of his birth, whichever is the later.
- (5) In the last foregoing subsection ' school leaving date' and ' holiday period' in relation to any person mean respectively a school leaving date and a holiday period fixed for the school at which the person was last in attendance before attaining the age of fifteen; and the said subsection shall apply to a person for whom the upper limit of school age is sixteen, with the substitution for the words ' fifteen ' and ' fifteenth', wherever those words occur, of the words ' sixteen' and ' sixteenth' respectively.”

- (2) This section shall come into operation on the first day of August, nineteen hundred and sixty-three.