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STATUTORY INSTRUMENTS

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**2007 No. 1367**

**EDUCATION, ENGLAND**

**The School Travel (Pupils with Dual  
Registration) (England) Regulations 2007**

*Made* - - - - - *27th April 2007*  
*Laid before Parliament* *9th May 2007*  
*Coming into force in accordance with regulation 1(2)*

The Secretary of State for Education and Skills makes the following Regulations in exercise of the powers conferred by section 508B(11) of, and paragraph 3(6) of Schedule 35C to, the Education Act 1996(1):

**Citation, commencement and application**

1.—(1) These Regulations may be cited as The School Travel (Pupils with Dual Registration) (England) Regulations 2007.

(2) These Regulations come into force—

- (a) in relation to the modification of the application of paragraph 3(1) and (2) of Schedule 35C to the Education Act 1996, on 1st June 2007, and
- (b) in relation to the modification of the application of section 508B(1) and (2) of that Act, on 1st September 2007.

(3) These Regulations apply only in relation to England.

**Modification of the application of the Education Act 1996**

2.—(1) This regulation modifies the application of section 508B (1) and (2) of, and paragraph 3(1) and (2) of Schedule 35C to, the Education Act 1996 in respect of children who are registered pupils at more than one educational establishment.

(2) Where a child is registered at—

- (a) two qualifying schools other than pupil referral units, or

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(1) [1996 c.56](#); section 508B and Schedule 35C are inserted by sections 77 and 78 of the Education and Inspections Act 2006 ([c.40](#)) which came into force on 1<sup>st</sup> April 2007. (The Education and Inspections Act 2006 (Commencement No. 3 and Transitional Provisions and Savings) Order 2007 ([S.I. 2007/935](#))). See section 579(1) of the Education Act 1996 for the definitions of “prescribed” and “regulations”.

- (b) in the case of a child who has no fixed abode, two or more qualifying schools other than pupil referral units,

the relevant educational establishment in relation to him is whichever of the schools he is attending at the relevant time.

(3) Where a child has no fixed abode “home to school travel arrangements” means travel from wherever the child is residing at the relevant time to the nearest qualifying school at which he is registered, so far as is reasonably practicable.

(4) For the purposes of paragraphs (2) and (3)—

- (a) “qualifying school” has the meaning given in paragraph 15(2) and (3) of Schedule 35B to the Education Act 1996<sup>(2)</sup>,
- (b) the “relevant time” means any school day on which travel arrangements are required, and
- (c) a child has no fixed abode if he falls within regulation 9(1)(a) of the Education (Pupil Registration) Regulations 2006<sup>(3)</sup>.

27th April 2007

*Andrew Adonis*  
Parliamentary Under Secretary of State  
Department for Education and Skills

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(2) Schedule 35B is to be inserted by section 77(2) of the Education and Inspections Act 2006, which is not yet in force.  
(3) S.I. 2006/1751.

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations modify the application of section 508B(1) and (2) of, and paragraph 3(1) and (2) of Schedule 35C to, the Education Act 1996 (“EA 1996”), which provisions were inserted by the Education and Inspections Act 2006.

Section 508B requires local education authorities in England to ensure that suitable home to school travel arrangements are made for eligible children in their area.

Section 508E and Schedule 35C of EA 1996 enable local education authorities to run school travel schemes, and paragraph 3 of Schedule 35C requires such schemes to ensure that suitable home to school travel arrangements are made for eligible children in their area.

These Regulations modify the application of section 508B, and paragraph 3 of Schedule 35C, in respect of children who are registered pupils at more than one school.

They provide that where a child is registered at two qualifying schools, then the relevant school for the purposes of home to school travel arrangements is whichever of the schools the child is attending on the day in question.

They also extend the meaning of “home to school travel arrangements” in relation to children who are registered at two or more qualifying schools and are of no fixed abode, to ensure that, so far as is as reasonably practicable, the local education authority secure travel between temporary residences and the nearest qualifying school at which the child is registered.