



Education Act 1996

1996 CHAPTER 56

PART VII

INDEPENDENT SCHOOLS

CHAPTER I

PRELIMINARY

[^{F1}463 Alteration to definition of “independent school”

- (1) In this Act “independent school” means any school at which full-time education is provided for—
- (a) five or more pupils of compulsory school age, or
 - (b) at least one pupil of that age for whom a statement is maintained under section 324, or who is looked after by a local authority (within the meaning of section 22 of the Children Act 1989),
- and which is not a school maintained by a [^{F2}local authority] or a special school not so maintained.
- (2) For the purposes of subsection (1)(a) and (b) it is immaterial if full-time education is also provided at the school for pupils under or over compulsory school age.]

Textual Amendments

- F1** S. 463 substituted (1.9.2003 for E., 1.1.2004 for W.) by [Education Act 2002 \(c. 32\)](#), **ss. 172**, 216(4) (with **ss. 210(8)**, 214(4)); [S.I. 2003/1667](#), art. 4; [S.I. 2003/2961](#), art. 6, Sch. Pt. III
- 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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Modifications etc. (not altering text)

- C1** S. 463 savings for effects of 2002 c. 32, s. 172 (W.) (19.11.2003) by [The Education Act 2002 \(Transitional Provisions and Consequential Amendments\) \(No.2\) \(Wales\) Regulations 2003 \(S.I. 2003/2959\)](#), regs. 1(1), **8(3)**

CHAPTER II

REGISTRATION OF INDEPENDENT SCHOOLS

Registration

F³464 Separate registration for England and for Wales.

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Textual Amendments

- F3** Ss. 464-478 repealed (1.9.2003 for E., 1.1.2004 for W.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), **Sch. 22 Pt. 3** (with ss. 210(8), 214(4)); [S.I. 2003/1667](#), art. 4; [S.I. 2003/2961](#), art. 6, Sch. Pt. III

F³465 Provisional and final registration of a school.

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Textual Amendments

- F3** Ss. 464-478 repealed (1.9.2003 for E., 1.1.2004 for W.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), **Sch. 22 Pt. 3** (with ss. 210(8), 214(4)); [S.I. 2003/1667](#), art. 4; [S.I. 2003/2961](#), art. 6, Sch. Pt. III

F³466 Enforcement of registration: offences.

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Textual Amendments

- F3** Ss. 464-478 repealed (1.9.2003 for E., 1.1.2004 for W.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), **Sch. 22 Pt. 3** (with ss. 210(8), 214(4)); [S.I. 2003/1667](#), art. 4; [S.I. 2003/2961](#), art. 6, Sch. Pt. III

F³467 Provision of information about registered and provisionally registered schools.

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Textual Amendments

- F3** Ss. 464-478 repealed (1.9.2003 for E., 1.1.2004 for W.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), **Sch. 22 Pt. 3** (with ss. 210(8), 214(4)); [S.I. 2003/1667](#), art. 4; [S.I. 2003/2961](#), art. 6, Sch. Pt. III

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F³468 School may be struck off for contravention of regulations about employment of teachers.

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Textual Amendments

F3 Ss. 464-478 repealed (1.9.2003 for E., 1.1.2004 for W.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), [Sch. 22 Pt. 3](#) (with [ss. 210\(8\), 214\(4\)](#)); [S.I. 2003/1667](#), art. 4; [S.I. 2003/2961](#), art. 6, Sch. Pt. III

Complaints about registered and provisionally registered schools

F³469 Notice of complaint by Secretary of State.

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Textual Amendments

F3 Ss. 464-478 repealed (1.9.2003 for E., 1.1.2004 for W.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), [Sch. 22 Pt. 3](#) (with [ss. 210\(8\), 214\(4\)](#)); [S.I. 2003/1667](#), art. 4; [S.I. 2003/2961](#), art. 6, Sch. Pt. III

F³470 Determination of complaint by an Independent Schools Tribunal.

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Textual Amendments

F3 Ss. 464-478 repealed (1.9.2003 for E., 1.1.2004 for W.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), [Sch. 22 Pt. 3](#) (with [ss. 210\(8\), 214\(4\)](#)); [S.I. 2003/1667](#), art. 4; [S.I. 2003/2961](#), art. 6, Sch. Pt. III

F³471 Determination of complaint by Secretary of State.

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Textual Amendments

F3 Ss. 464-478 repealed (1.9.2003 for E., 1.1.2004 for W.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), [Sch. 22 Pt. 3](#) (with [ss. 210\(8\), 214\(4\)](#)); [S.I. 2003/1667](#), art. 4; [S.I. 2003/2961](#), art. 6, Sch. Pt. III

F³472 Effect of personal disqualification.

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Textual Amendments

F3 Ss. 464-478 repealed (1.9.2003 for E., 1.1.2004 for W.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), [Sch. 22 Pt. 3](#) (with [ss. 210\(8\), 214\(4\)](#)); [S.I. 2003/1667](#), art. 4; [S.I. 2003/2961](#), art. 6, Sch. Pt. III

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F3 473 Enforcement of disqualification.

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Textual Amendments

F3 Ss. 464-478 repealed (1.9.2003 for E., 1.1.2004 for W.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), [Sch. 22 Pt. 3](#) (with [ss. 210\(8\), 214\(4\)](#)); S.I. 2003/1667, art. 4; S.I. 2003/2961, art. 6, Sch. Pt. III

F3 473A Removal of disqualification: persons no longer unsuitable to work with children.

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Textual Amendments

F3 Ss. 464-478 repealed (1.9.2003 for E., 1.1.2004 for W.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), [Sch. 22 Pt. 3](#) (with [ss. 210\(8\), 214\(4\)](#)); S.I. 2003/1667, art. 4; S.I. 2003/2961, art. 6, Sch. Pt. III

F3 473B Conditions for application under section 473A.

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Textual Amendments

F3 Ss. 464-478 repealed (1.9.2003 for E., 1.1.2004 for W.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), [Sch. 22 Pt. 3](#) (with [ss. 210\(8\), 214\(4\)](#)); S.I. 2003/1667, art. 4; S.I. 2003/2961, art. 6, Sch. Pt. III

F3 474 Removal of disqualification: other cases.

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Textual Amendments

F3 Ss. 464-478 repealed (1.9.2003 for E., 1.1.2004 for W.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), [Sch. 22 Pt. 3](#) (with [ss. 210\(8\), 214\(4\)](#)); S.I. 2003/1667, art. 4; S.I. 2003/2961, art. 6, Sch. Pt. III

F3 475 Duty of Registrar to comply with order for the deletion of a school from the register.

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Textual Amendments

F3 Ss. 464-478 repealed (1.9.2003 for E., 1.1.2004 for W.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), [Sch. 22 Pt. 3](#) (with [ss. 210\(8\), 214\(4\)](#)); S.I. 2003/1667, art. 4; S.I. 2003/2961, art. 6, Sch. Pt. III

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Independent Schools Tribunals

F³476 Constitution and proceedings of Independent Schools Tribunals.

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Textual Amendments

F3 Ss. 464-478 repealed (1.9.2003 for E., 1.1.2004 for W.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), [Sch. 22 Pt. 3](#) (with [ss. 210\(8\)](#), [214\(4\)](#)); [S.I. 2003/1667](#), art. 4; [S.I. 2003/2961](#), art. 6, Sch. Pt. III

Supplementary

F³477 Disqualification in Scotland.

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Textual Amendments

F3 Ss. 464-478 repealed (1.9.2003 for E., 1.1.2004 for W.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), [Sch. 22 Pt. 3](#) (with [ss. 210\(8\)](#), [214\(4\)](#)); [S.I. 2003/1667](#), art. 4; [S.I. 2003/2961](#), art. 6, Sch. Pt. III

F³478 Offences: institution of proceedings and punishment.

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Textual Amendments

F3 Ss. 464-478 repealed (1.9.2003 for E., 1.1.2004 for W.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), [Sch. 22 Pt. 3](#) (with [ss. 210\(8\)](#), [214\(4\)](#)); [S.I. 2003/1667](#), art. 4; [S.I. 2003/2961](#), art. 6, Sch. Pt. III

CHAPTER III

ASSISTED PLACES AT INDEPENDENT SCHOOLS

F⁴479

Textual Amendments

F4 S. 479 repealed (1.9.1997) by [1997 c. 59](#), ss. 1(1)(a)(b)(3), 6(3), 7(3)(a), [Sch.](#), Pt.I.

F⁵480

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Textual Amendments

F5 S. 480 repealed (1.9.1997) by 1997 c. 59, ss. 1(1)(a)(b)(3), 6(3), 7(3), **Sch. Pt.I.**

F6 481

Textual Amendments

F6 S. 481 repealed (1.9.1997) by 1997 c. 59, ss. 1(1)(a)(b)(3), 6(3), 7(3), **Sch. Pt.I.**

CHAPTER IV

CITY COLLEGES

[F7 482 Academies

F8(1)

F8(2)

F8(3)

F8(4)

F8(5)

(6) Schedule 35A (which makes provision about land in relation to Academies) has effect.]

Textual Amendments

F7 S. 482 substituted (26.7.2002) by Education Act 2002 (c. 32), ss. **65(1)**, 216(2) (with ss. 210(8), 214(4)); S.I. 2002/2002, **art. 2**

F8 S. 482(1)-(5) omitted (29.7.2010) by virtue of Academies Act 2010 (c. 32), s. 19(2), **Sch. 2 para. 4**; S.I. 2010/1937, art. 2, Sch. 1

Modifications etc. (not altering text)

C2 S. 482(3) excluded (1.6.2003) by Education Act 2002 (c. 32), s. 216(2), **Sch. 8 para. 9(1)** (with ss. 210(8), 214(4)); S.I. 2003/1115, art. 2

C3 S. 482(3) excluded (1.9.2006) by Education Act 2005 (c. 18), s. 125(4), **Sch. 10 para. 15**; S.I. 2006/2129, art. 4

C4 S. 482(3) excluded (25.5.2007) by Education and Inspections Act 2006 (c. 40), s. 188(3), **Sch. 2 para. 27**; S.I. 2007/935, art. 7(n)

C5 S. 482(3) excluded (E.) (25.5.2007) by The School Organisation (Transitional Provisions) (England) Regulations 2007 (S.I. 2007/1355), reg. 1(1), **Sch. 2 para. 5**

C6 S. 482(3) excluded (prosp.) by Education Act 2002 (c. 32), ss. 70, 216(2), **Sch. 8 para. 9(1)** (with ss. 210(8), 214(4))

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F⁹483 City colleges: financial provisions.

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Textual Amendments

F⁹ S. 483 repealed (29.7.2010) by Academies Act 2010 (c. 32), s. 19(2), Sch. 2 para. 5; S.I. 2010/1937, art. 2, Sch. 1

[F¹⁰483A City colleges and academies: special educational needs.

- (1) This section applies in relation to any child falling within subsection (2) if the condition in subsection (3) is satisfied.
- (2) A child falls within this subsection if—
 - (a) he is a child for whom a statement is maintained under section 324, and
 - (b) he attends (or proposes to attend) a school which is a city technology college, a city college for the technology of the arts or [F¹¹an Academy].
- (3) The condition in this subsection is satisfied if—
 - [F¹²(a) the statement is maintained by a local authority in England, or
 - (b) the statement is maintained by a local authority in Wales and the Welsh Ministers consent to the child being educated at the school.]
- (4) [F¹³The appropriate national authority] may by regulations make provision for securing that arrangements are made—
 - (a) for making the special educational provision specified in the statement;
 - (b) for making any non-educational provision specified in the statement.
- (5) Regulations under subsection (4) may require or authorise a [F²local authority]—
 - (a) to make payments to the school in respect of the child, or
 - (b) to provide any other assistance to the school in respect of the child.
- (6) No condition or requirement imposed by virtue of section 482(4)(a) is to prevent a [F²local authority] making payments or providing assistance by virtue of subsection (5).

[In subsection (4) “the appropriate national authority” means—

- F¹⁴(6A)** (a) in relation to a school in England, the Secretary of State;
(b) in relation to a school in Wales, the Welsh Ministers.]

- (7) [F¹⁵This section does not apply to schools in Wales.]]

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))
- F¹⁰** S. 483A inserted (1.10.2000) by 2000 c. 21, s. 133 (with s. 150); S.I. 2000/2559, art. 2(1), Sch. Pt. I
- F¹¹** Words in s. 483A(2)(b) substituted (26.7.2002) by Education Act 2002 (c. 32), ss. 65, 216; Sch. 7 Pt. 2 para. 6(4)(a); (with savings in ss. 210(8), 214(4)) S.I. 2002/2002, art. 2
- F¹²** S. 483A(3)(a)(b) substituted (1.9.2009) by Education and Skills Act 2008 (c. 25), ss. 147(5), 173(4); S.I. 2009/1513, art. 3

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- F13** Words in s. 483A(4) substituted (1.9.2009) by Education and Skills Act 2008 (c. 25), **ss. 147(6)**, 173(4); S.I. 2009/1513, art. 3
- F14** S. 483A(6A) added (1.9.2009) by Education and Skills Act 2008 (c. 25), **ss. 147(7)**, 173(4); S.I. 2009/1513, art. 3
- F15** S. 483A(7) ceased to have effect (26.7.2002) and repealed (1.10.2002 for E., otherwise prosp.) by Education Act 2002 (c. 32), ss. 65(3), 215, 216(4), **Sch. 7 para. 6(4)(b)**, **Sch. 22 Pt. 3** (with ss. 210(8), 214(4)); S.I. 2002/2002, **art. 2**; S.I. 2002/2439, **art. 3**

Status:

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