Changes to legislation: Education Act 1997, Cross Heading: Education Act 1996 (c. 56) is up to date with all changes known to be in force on or before 23 June 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

SCHEDULE 7

MINOR AND CONSEQUENTIAL AMENDMENTS

Education Act 1996 (c. 56)

- 9 (1) Section 3 of the Education Act 1996 (definition of pupil etc.) shall be amended as follows.
 - (2) At the end of subsection (1) insert—

"and references to pupils in the context of the admission of pupils to, or the exclusion of pupils from, a school are references to persons who following their admission will be, or (as the case may be) before their exclusion were, pupils as defined by this subsection."

Textual Amendments

- F1 Sch. 7 para. 9(3) repealed (1.10.2002 for E., 1.9.2003 for W.) by Education Act 2002 (c. 32), s. 216(4), Sch. 22 Pt. 3 (with ss. 210(8), 214(4)); S.I. 2002/2439, art. 3; S.I. 2003/1718, art. 5, Sch. Pt. II
- In section 4(2) of that Act (schools: general)—
 - (a) for "For" substitute "Nothing in subsection (1) shall be taken to preclude the making of arrangements under section 19(1) (exceptional educational provision) under which part-time education is to be provided at a school; and for "; and
 - (b) omit "(pupil referral units)".
- In section 6(1) of that Act (nursery schools), for "the age of five" substitute "compulsory school age".
- In section 14(4) of that Act (functions of LEA in respect of provision of primary and secondary schools), for "the age of five" substitute "compulsory school age".
- In section 17(2) of that Act (powers of LEA in respect of nursery education), for "the age of five", in both places, substitute "compulsory school age".

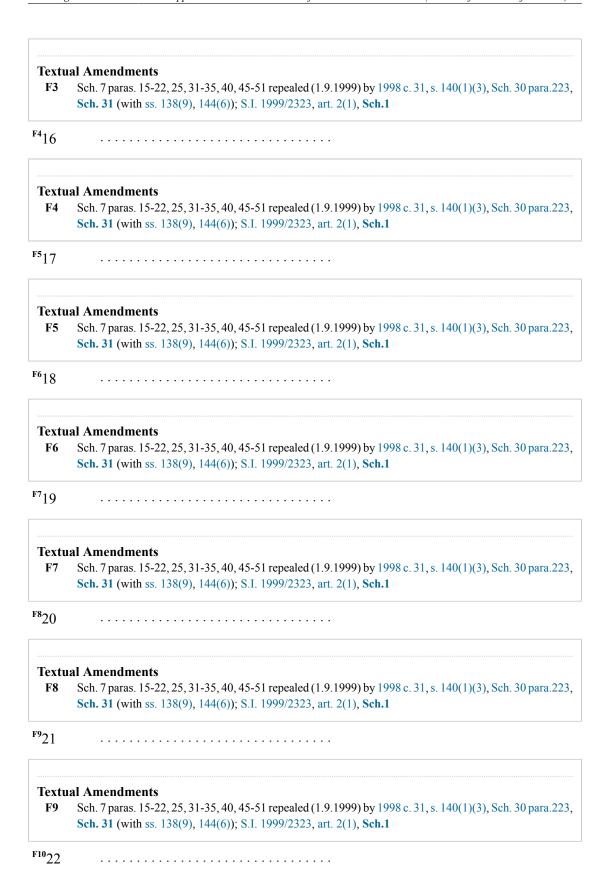
F²14

Textual Amendments

F2 Sch. 7 para. 14 repealed (1.9.2003 for E.) by Education Act 2002 (c. 32), s. 216(4), Sch. 22 Pt. 3 (with ss. 210(8), 214(4)); S.I. 2003/1667, art. 4

^{F3}15

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Textual Amendments

- **F10** Sch. 7 paras. 15-22, 25, 31-35, 40, 45-51 repealed (1.9.1999) by 1998 c. 31, s. 140(1)(3), Sch. 30 para.223, **Sch. 31** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch.1**
- In section 312(2)(c) of that Act (meaning of "learning difficulty" for the purposes of the Act)—
 - (a) for "the age of five" substitute "compulsory school age", and
 - (b) omit "or over".
- In section 332(1) of that Act (duty of Health Authority or National Health Service Trust to notify parent where child has special educational needs), for "the age of five" substitute "compulsory school age".

^{F11}25

Textual Amendments

- F11 Sch. 7 paras. 15-22, 25, 31-35, 40, 45-51 repealed (1.9.1999) by 1998 c. 31, s. 140(1)(3), Sch. 30 para.223, Sch. 31 (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), Sch.1
- Omit sections 358 to 361 of that Act (provisions about Curriculum Authorities).

Commencement Information

- Sch. 7 para. 26 wholly in force at 11.3.1998; Sch.7 para. 26 not in force at Royal Assent see s. 58(3); Sch. 7 para. 26 in force at 1.10.1997 insofar as it omits ss. 360, 361 by S.I. 1997/1468, art.2, Sch. 1 Pt. III and in force at 1.3.1998 insofar as not already in force by S.I. 1998/386, art. 2, Sch. 1 Pt. I
- 27
- [F12In section 362(7) of that Act (development work and experiments)—
 - (a) for "the School Curriculum and Assessment Authority" substitute "the Qualifications and Curriculum Authority"; and
 - (b) for "the Curriculum and Assessment Authority for Wales" substitute "the Qualifications, Curriculum and Assessment Authority for Wales".]

Textual Amendments

F12 Sch. 7 paras. 27, 28 repealed (1.10.2002 for E. for specified purposes, 20.1.2003 for E in so far as not already in force) by Education Act 2002 (c. 32), s. 216(4), **Sch. 22 Pt. 3** (with ss. 210(8), 214(4)); S.I. 2002/2439, art. 3; S.I. 2002/2952, art. 2

Commencement Information

- I2 Sch. 7 paras. 27, 28 wholly in force at 1.10.1997 see s. 58(3) and S.I. 1997/1468, arts. 2, 4, Sch. 1 Pt. III, Sch. 2 Pt. II (subject to transitional provisions in Sch. 2 Pt. II)
- [F13]In section 368(10) of that Act (procedure for making certain orders and regulations)—
 - (a) for "the School Curriculum and Assessment Authority" substitute " the Qualifications and Curriculum Authority"; and

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(b) for "the Curriculum and Assessment Authority for Wales" substitute "the Qualifications, Curriculum and Assessment Authority for Wales".]

Textual Amendments

F13 Sch. 7 paras. 27, 28 repealed (1.10.2002 for E. for specified purposes, 20.1.2003 for E in so far as not already in force) by Education Act 2002 (c. 32), s. 216(4), **Sch. 22 Pt. 3** (with ss. 210(8), 214(4)); S.I. 2002/2439, art. 3; S.I. 2002/2952, art. 2

Commencement Information

- I3 Sch. 7 paras. 27, 28 wholly in force at 1.10.1997 see s. 58(3) and S.I. 1997/1468, arts. 2, 4, Sch. 1 Pt. III, Sch. 2 Pt. II (subject to transitional provisions in Sch. 2 Pt. II)
- 29 In section 391(10) of that Act (functions of advisory councils)—
 - ^{F14}(a)
 - (b) for "the Curriculum and Assessment Authority for Wales" substitute "the Qualifications, Curriculum and Assessment Authority for Wales".

Textual Amendments

F14 Sch. 7 para. 29(a) repealed (1.4.2010) by Apprenticeships, Skills, Children and Learning Act 2009 (c. 22), s. 269(4), **Sch. 16 Pt. 4**; S.I. 2010/1151, art. 2, Sch. 1

- In section 408 of that Act (provision of information)—
 - (a) in subsection (1)(a), after "this Part" insert " or Part V of the Education Act 1997"; and
 - (b) in subsection (4)(f), omit ", 400, 401".

Commencement Information

14 Sch. 7 para. 30 wholly in force; Sch. 7 para. 30 not in force at Royal Assent see s. 58(3); Sch. 7 para. 30(a) in force at 1.10.1997 by S.I. 1997/1468, art. 2, Sch. 1 Pt. III; Sch. 7 para. 30(b) in force at 1.9.2001 by S.I. 2001/1215, art. 2

F1531

Textual Amendments

F15 Sch. 7 paras. 15-22, 25, 31-35, 40, 45-51 repealed (1.9.1999) by 1998 c. 31, s. 140(1)(3), Sch. 30 para.223, Sch. 31 (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), Sch.1

F1632

Textual Amendments

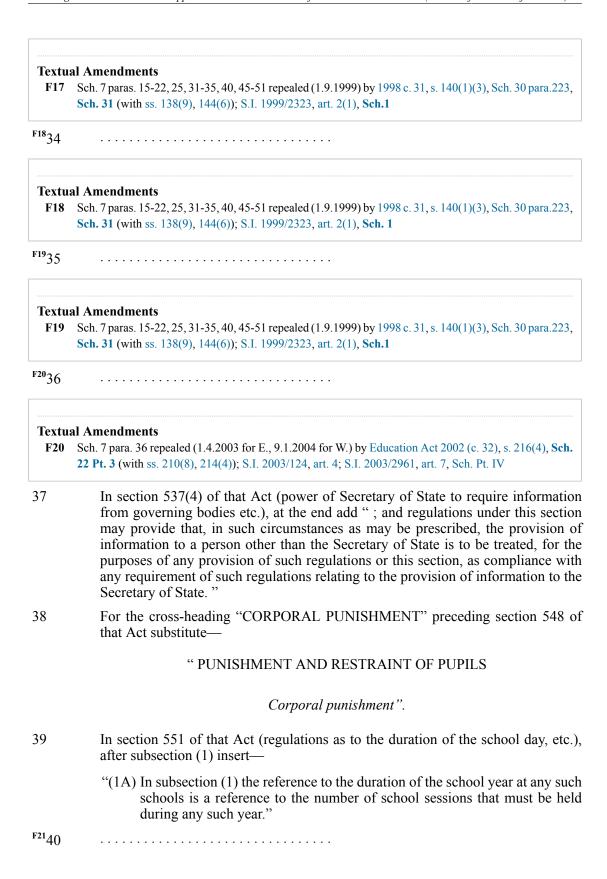
F16 Sch. 7 paras. 15-22, 25, 31-35, 40, 45-51 repealed (1.9.1999) by 1998 c. 31, s. 140(1)(3), Sch. 30 para.223, **Sch. 31** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch.1**

F1733

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Textual Amendments

F21 Sch. 7 paras. 15-22, 25, 31-35, 40, 45-51 repealed (1.9.1999) by 1998 c. 31, s. 140(1)(3), Sch. 30 para.223, **Sch. 31** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch.1**

- 41 In section 571 of that Act (publication of guidance)—
 - (a) in subsection (1) for "of the provisions mentioned in subsection (2) below" substitute "provision of this Act"; and
 - (b) omit subsection (2).
- 42 At the end of section 578 of that Act ("the Education Acts") add—

"the Education Act 1997."

In section 579(1) of that Act (general interpretation), after the definition of "school day" insert—

""school year", in relation to a school, means the period beginning with the first school term to begin after July and ending with the beginning of the first such term to begin after the following July;".

In section 580 of that Act (the index) at the appropriate places insert—
(in the entry relating to "child")

"(in Chapter I of Part VI except sections section 411(8)". 431 to 433)

"school year

section 579(1)".

"wholly based on selection by reference section 411(9)". to ability or aptitude (in Chapter I of Part VI)

Commencement Information

I5 Sch. 7 para. 44 wholly in force at 1.9.1997; Sch. 7 para. 44 not in force at Royal Assent see s. 58(3); Sch. 7 para. 44 in force at 14.6.1997 to the extent that it inserts the reference to "school year" into section 580 of the 1996 Act and in force at 1.9.1997 insofar as not already in force by S.I. 1997/1468, art. 2, Sch.1 Pts. I, II

F2245																

Textual Amendments

F22 Sch. 7 paras. 15-22, 25, 31-35, 40, 45-51 repealed (1.9.1999) by 1998 c. 31, s. 140(1)(3), Sch. 30 para.223, **Sch. 31** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch.1**

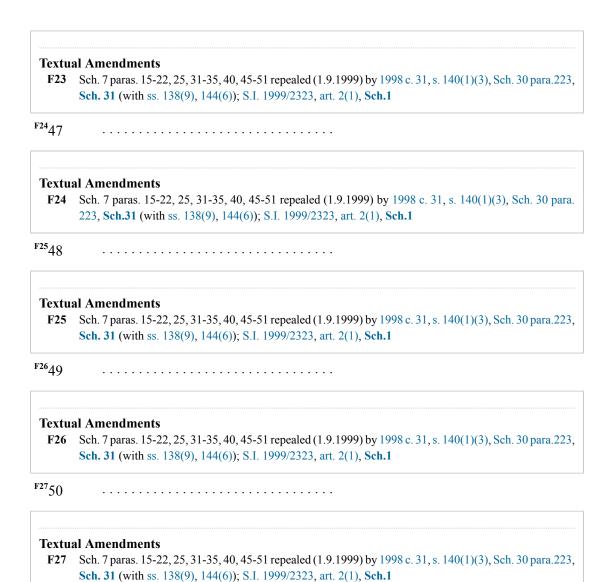
F2346

SCHEDULE 7 - Minor and consequential amendments

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