

*These notes refer to the Education Act 2002 (c.32)
which received Royal Assent on 24 July 2002*

EDUCATION ACT 2002

EXPLANATORY NOTES

COMMENTARY ON SECTIONS AND SCHEDULES

Part 11 – Miscellaneous and General

Miscellaneous

Section 206 and Schedule 20: Nuisance or disturbance on educational premises

397. This Schedule amends section 547 of the EA 96 ('Nuisance or disturbance on school premises') to extend its provisions to non-maintained special schools, independent schools and LEA-maintained facilities providing instruction or leadership in sporting, recreational or outdoor activities, such as LEA outdoor education centres. Schedule 20 also amends the Further and Higher Education Act 1992 (FHEA) by inserting a new section, which re-enacts the provisions of section 40 of the Local Government (Miscellaneous Provisions) Act 1982 ('Nuisance and disturbance on educational premises') and extends those provisions to any institution within the FE sector. Section 40 of the Local Government (Miscellaneous Provisions) Act 1982 is consequentially repealed under Schedule 22.
398. These changes extend the scope of the existing provision. They also make a consequential extension of the powers of the police and persons authorised by the relevant bodies responsible for these educational institutions to remove trespassers believed to be committing the offence and to bring forward proceedings against them.