

Status: Point in time view as at 01/10/2002.

Changes to legislation: Education Act 2002, Paragraph 2 is up to date with all changes known to be in force on or before 13 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 20

NUISANCE OR DISTURBANCE ON EDUCATIONAL PREMISES

2 After section 85 of the Further and Higher Education Act 1992 (c. 13) there is inserted—

“85A Nuisance or disturbance on educational premises

- (1) Any person who without lawful authority is present on premises to which this section applies and causes or permits nuisance or disturbance to the annoyance of persons who lawfully use those premises (whether or not any such persons are present at the time) is guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.
- (2) This section applies to premises, including playing fields and other premises for outdoor recreation, of—
 - (a) any institution (other than a school) which is maintained by a local education authority and provides further education or higher education (or both), and
 - (b) any institution within the further education sector.
- (3) If—
 - (a) a police constable, or
 - (b) a person whom the appropriate authority have authorised to exercise the power conferred by this subsection,has reasonable cause to suspect that any person is committing or has committed an offence under this section, he may remove him from the premises in question.
- (4) In subsection (3) “the appropriate authority” means—
 - (a) in relation to premises of an institution such as is mentioned in subsection (2)(a), a local education authority, and
 - (b) in relation to premises of an institution within the further education sector, the governing body.
- (5) No proceedings under this section shall be brought by any person other than—
 - (a) a police constable, or
 - (b) an authorised person.
- (6) In subsection (5) “authorised person” means—
 - (a) in relation to an offence committed on premises of an institution such as is mentioned in subsection (2)(a), a local education authority, and

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- (b) in relation to an offence committed on premises of an institution within the further education sector, a person whom the governing body have authorised to bring such proceedings.”

Commencement Information

- II** Sch. 20 partly in force; Sch. 20 not in force at Royal Assent, see s. 216; Sch. 20 in force for E. at 1.10.2002 by S.I. 2002/2439, art. 3 (with transitional provisions and savings in art. 4, Sch.)

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