
STATUTORY INSTRUMENTS

2005 No. 2029

**The Education (Penalty Notices)
(England) (Amendment) Regulations 2005**

Amendment of the Education (Penalty Notices) (England) Regulations 2004

5. For regulation 10 substitute—

“**10.**—(1) Subject to paragraph (2), an officer of a local education authority may only issue a penalty notice in respect of—

- (a) a child who is a registered pupil at a school in the area of that local education authority; or
- (b) a child for whom that local education authority has made arrangements (whether or not in the area of that authority) under section 19 of the Act for the provision of education for him otherwise than at school or at his home.

(2) Where a local education authority has entered into an agreement with another local education authority for an officer of that other authority to issue penalty notices in respect of a child to which paragraph (1)(a) or (b) applies, an officer of that other authority may issue a penalty notice in respect of such child.”.