



Education Act 1980

1980 CHAPTER 20

E+W

An Act to amend the law relating to education.

[3rd April 1980]

Modifications etc. (not altering text)

- C1** Act amended by [Local Government Act 1985](#) (c. 51, SIF 81:1), **s. 18(2)**
- C2** Act applied by [Education \(No. 2\) Act 1986](#) (c. 61, SIF 41:1), **s. 51(10)**
- C3** Act amended by [Education Reform Act 1988](#) (c. 40, SIF 41:1), **ss. 163(1), 231(7), 235(6)**
- C4** Act modified by [Education Reform Act 1988](#) (c. 40, SIF 41:1), **ss. 231(7), 235(6), 236(2)(a)**
Act modified (1.4.1994) by [1993 c. 35, s. 236\(3\)](#); S.I. 1994/507, art.4, **Sch.2**
- C5** Act applied (Canterbury and York except Channel Islands and Isle of Man) (1.8.1991) by [Diocesan Boards of Education Measure 1991](#) (No. 2, SIF 41:1), **s. 7(3)**; Archbishops' Instrument made 26.7.1991
- C6** Act: certain functions transferred (1.7.1999) by S.I. 1999/672, art. 2, **Sch. 1**
- C7** Act applied (1.6.2001) by S.I. 2001/1507, reg. 2, **Sch. 2 art. 2**
- C8** Act applied (1.4.2005) by [Central Sussex College \(Government\) Regulations 2005](#) (S.I. 2005/397), reg. 1, **Sch. 2 para. 2**
- C9** Act modified (7.4.2005) by [Education Act 2005](#) (c. 18), **ss. 96(2), 125(1)(b)**
- C10** Act Education Acts modified (temp.) (1.4.2007) by [Education and Inspections Act 2006](#) (c. 40), s. 188(3), **Sch. 6 para. 3(3)**; S.I. 2007/935, art. 5(bb)

Commencement Information

- I1** Act not in force at Royal Assent see [s. 37\(2\)](#); Act wholly in force at 1.7.1982

School government

F1

..... **E+W**

Changes to legislation: There are currently no known outstanding effects for the Education Act 1980. (See end of Document for details)

Textual Amendments

F1 s. 1 repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), **Sch. 38 Pt. I** (with ss. 1(4), 561, 562, Sch. 39)

2 **F2 E+W**

Textual Amendments

F2 Ss. 2, 3, 4 repealed (savings in S.I. 1987/344, **Sch. 3 para. 1(4)(d)** for ss. 2 and 3(4)) by **Education (No. 2) Act 1986** (c. 61, SIF 41:1), s. 67(6), **Sch. 6 Pt. I** and ss. 2,3,4 are expressed to be repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), **Sch. 38 Pt. I** (with ss. 1(4), 561, 562, Sch. 39)

3 **F3 E+W**

Textual Amendments

F3 Ss. 2, 3, 4 repealed (savings in S.I. 1987/344, **Sch. 3 para. 1(4)(d)** for ss. 2 and 3(4)) by **Education (No. 2) Act 1986** (c. 61, SIF 41:1), s. 67(6), **Sch. 6 Pt. I** and ss. 2, 3, 4 are expressed to be repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), **Sch. 38 Pt. I** (with ss. 1(4), 561, 562, Sch. 39)

4 **F4 E+W**

Textual Amendments

F4 Ss. 2, 3, 4 repealed (savings in S.I. 1987/344, **Sch. 3 para. 1(4)(d)** for ss. 2 and 3(4)) by **Education (No. 2) Act 1986** (c. 61, SIF 41:1), s. 67(6), **Sch. 6 Pt. I** and ss. 2, 3, 4 are expressed to be repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), **Sch. 38 Pt.I** (with ss. 1(4), 561, 562, Sch. 39)

F5 **E+W**

Textual Amendments

F5 S. 5 repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), **Sch. 38 Pt. I** (with ss. 1(4), 561, 562, Sch. 39)

Admission to schools

F6 **E+W**

Changes to legislation: There are currently no known outstanding effects for the Education Act 1980. (See end of Document for details)

Textual Amendments

F6 S. 6 repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), **Sch. 38 Pt. I** (with ss. 1(4), 561, 562, Sch. 39)

F7 **E+W**

Textual Amendments

F7 S. 7 repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), **Sch. 38 Pt. I** (with ss. 1(4), 561, 562, Sch. 39)

F8 **E+W**

Textual Amendments

F8 S. 8 repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), **Sch. 38 Pt. I** (with ss. 1(4), 561, 562, Sch. 39)

F9 **E+W**

Textual Amendments

F9 S. 9 repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), **Sch. 38 Pt. I**, **Sch. 39** (with ss. 1(4), 561, 562, Sch. 39)

School attendance orders

F10 **E+W**

Textual Amendments

F10 S. 10 repealed (1.10.1993) by 1993 c. 35, ss. 303(4), 307(1)(3), Sch. 19 para. 75, **Sch. 21 Pt. I**; S.I. 1993/1975, art. 9, **Sch. 1** and expressed to be repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), **Sch. 38 Pt. I** (with ss. 1(4), 561, 562, Sch. 39)

F11 **E+W**

Changes to legislation: There are currently no known outstanding effects for the Education Act 1980. (See end of Document for details)

Textual Amendments

F11 S. 11 repealed (1.10.1993) by 1993 c. 35, ss. 303(4), 307(1)(3), Sch. 19 para. 75, **Sch. 21 Pt. I**; S.I. 1993/1975, art. 9, **Sch. 1** and expressed to be repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), **Sch. 38 Pt. I** (with ss. 1(4), 561, 562, Sch. 39)

Establishment, discontinuance and eration of schools

F12 12 **E+W**

Textual Amendments

F12 S. 12 repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), **Sch. 38 Pt. I** (with ss. 1(4), 561, 562, Sch. 39)

F13 13 **E+W**

Textual Amendments

F13 S. 13 repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), **Sch. 38 Pt. I** (with ss. 1(4), 561, 562, Sch. 39)

F14 14 **E+W**

Textual Amendments

F14 S. 14 repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), Sch. 38 Pt. I, **Sch. 39** (with ss. 1(4), 561, 562, Sch. 39)

F15 15 **E+W**

Textual Amendments

F15 S. 15 repealed and superseded (1.8.1992 in relation to primary schools and 4.8.1990 in relation to secondary schools) by Education Reform Act 1988 (c. 40, SIF 41:1), **ss. 31(1)**, 231(7), 235(6) (and also expressed to be repealed and superseded (*prosp.*) by s. 237(2), Sch. 13 Pt. II of that act); S.I. 1988/1459, **art. 5(1)**; S.I. 1991/409 art. 6(2); s. 15 is wholly repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), Sch. 38, Pt. I (with ss. 1(4), 561, 562, **Sch. 39**)

F16 16 **E+W**

Changes to legislation: There are currently no known outstanding effects for the Education Act 1980. (See end of Document for details)

Textual Amendments

F16 S. 16 repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), **Sch. 38 Pt.I** (with ss. 1(4), 561, 562, Sch. 39)

Awards and grants

F17 **17** **E+W**

Textual Amendments

F17 S. 17 repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), **Sch. 38 Pt. I** (with ss. 1(4), 561, 562, Sch. 39)

F18 **18** **E+W**

Textual Amendments

F18 S.18 repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), **Sch. 38 Pt.I** (with ss. 1(4), 561, 562, Sch. 39)

F19 **19** **E+W**

Textual Amendments

F19 S. 19 repealed (1.1.1999) by 1998 c. 30, s. 44(2), **Sch.4**(with s. 42(8)); S.I. 1998/3237, **art. 2(c)**

20 **Industrial scholarships.** ^{X1} **E+W+N.I.**

- (1) The Secretary of State may award industrial scholarships or make payments to any other person in respect of the award of such scholarships by that person.
- (2) In this section “industrial scholarships” means scholarships (however described) tenable by persons undertaking full-time courses of higher education provided by a university, college or other institution in the United Kingdom, being courses which appear to the Secretary of State or, as the case may be, the person awarding the scholarships to be relevant to a career in industry.
- (3) In subsection (2) above the reference to a full-time course includes a reference to a course consisting of ernate periods of—
 - (a) full-time study in the university, college or institution in question; and
 - (b) associated industrial, professional or commercial experience;and the reference in that subsection to a course provided by a university, college or institution in the United Kingdom includes a reference to a course provided by such

Changes to legislation: There are currently no known outstanding effects for the Education Act 1980. (See end of Document for details)

a university, college or institution in conjunction with a university, college or other institution in another country.

Editorial Information

X1 S. 20 repealed (S.) by Education (Scotland) Act 1980 (c. 44), Sch. 5

F20 **21** **E+W**

Textual Amendments

F20 S. 21 repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), **Sch. 38 Pt. I** (with ss. 1(4), 561, 562, Sch. 39)

School meals

F21 **22** **E+W**

Textual Amendments

F21 S. 22 repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), **Sch. 38 Pt. I** (with ss. 1(4), 561, 562, Sch. 39)

23 **F22** **E+W**

Textual Amendments

F22 S. 23 repealed by Education (Scotland) Act 1980 (c. 44), **Sch. 5**

Nursery education

F23 **24** **E+W**

Textual Amendments

F23 S. 24 repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), **Sch. 38 Pt. I** (with ss. 1(4), 561, 562, Sch. 39)

F24 **25** **E+W**

Changes to legislation: There are currently no known outstanding effects for the Education Act 1980. (See end of Document for details)

Textual Amendments

F24 S. 25 repealed by [Education \(Scotland\) Act 1980 \(c. 44\)](#), **Sch. 5**

^{F25}**26** **E+W**

Textual Amendments

F25 S. 26 repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), **Sch. 38 Pt. I** (with ss. 1(4), 561, 562, Sch. 39)

Miscellaneous

27 ^{F26} **E+W**

Textual Amendments

F26 S. 27 repealed by [Education Reform Act 1988 \(c. 40, SIF 41:1\)](#), ss. 218(13), 231(7), 235(6), 237(2), **Sch. 13 Pt. II**

^{F27}**28** **E+W**

Textual Amendments

F27 S. 28 repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), **Sch. 38 Pt. I** (with ss. 1(4), 561, 562, Sch. 39)

^{F28}**29** **E+W**

Textual Amendments

F28 S. 29 repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), **Sch. 38 Pt. I** (with ss. 1(4), 561, 562, Sch. 39)

^{F29}**30** **E+W**

Textual Amendments

F29 S. 30 repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), **Sch. 38 Pt. I** (with ss. 1(4), 561, 562, Sch. 39)

Changes to legislation: There are currently no known outstanding effects for the Education Act 1980. (See end of Document for details)

31 ^{F30} **E+W**

Textual Amendments
F30 S. 31 repealed by Education (No. 2) Act 1986 (c. 61, SIF 41:1), s. 67(6), **Sch. 6 Pt. I** subject to a saving in Education Reform Act 1988 (c. 40, SIF 41:1), **ss. 225(1), 231(7), 235(6)**

32 ^{F31} **E+W**

Textual Amendments
F31 S. 32 repealed by Education (No. 2) Act 1986 (c. 61, SIF 41:1), s. 67(6), **Sch. 6 Pt. I**

33 **Discrimination by local education authorities.** **E+W**

(1)

^{F32}(2) In section 23(2) of the said Act of 1975 and section 18(2) of the said Act of 1976 (discrimination by education authorities) for the words “the Education (Scotland) Acts 1939 to 1974” and “the Education (Scotland) Acts 1939 to 1975” respectively there shall be substituted the words “ the Education (Scotland) Acts 1939 to 1980 ”.

^{F33}(3)

Textual Amendments
F32 S. 33(1) repealed by Education Act 1981 (c. 60, SIF 41:1), **Sch. 4**
F33 S. 33(3) repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), **Sch. 38 Pt.I** (with ss. 1(4), 561, 562, Sch. 39)
Modifications etc. (not altering text)
C11 The text of S. 33(2) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

^{F34}**34** **E+W**

Textual Amendments
F34 S. 34 repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), **Sch. 38 Pt. I** (with ss. 1(4), 561, 562, Sch. 39)

Supplementary

^{F35}**35** **E+W+N.I.**

Changes to legislation: There are currently no known outstanding effects for the Education Act 1980. (See end of Document for details)

Textual Amendments

F35 S. 35 repealed (S.) by Education (Scotland) Act 1980 (c. 44), **Sch. 5** and s. 35 is wholly repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), **Sch. 38 Pt.I** (with ss. 1(4), 561, 562, Sch. 39)

36 Expenses. E+W

There shall be defrayed out of moneys provided by Parliament—

- (a) any expenses incurred by the Secretary of State under this Act; and
- (b) any increase attributable to this Act in the sums payable out of such moneys under any other Act.

^{F36}**37** **E+W+N.I.**

Textual Amendments

F36 S. 37 repealed (S.) by Education (Scotland) Act 1980 (c. 44), **Sch. 5** and s. 37 wholly repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), **Sch. 38 Pt. I** (with ss. 1(4), 561, 562, Sch. 39)

38 Citation, construction, repeals and extent. ^{X2} E+W+N.I.

(1) This Act may be cited as the Education Act 1980.

^{F37}(2)

[^{F38}(3) This Act shall, in its application to England and Wales, be construed as one with the Education Act 1996.]

^{F37}(4)

^{F37}(5)

^{F39}(5A)

^{F37}(6)

(7) [^{F40}In this Act section 20 and this section extend to Northern Ireland,] but save as aforesaid this Act extends to England and Wales only.

Editorial Information

X2 S. 38 repealed (S.) by Education (Scotland) Act 1980 (c. 44), **Sch. 5**

Textual Amendments

F37 S. 38(2)(4)-(6) repealed (1.11.1996) by 1996 c. 56, ss. 582(1)(2)(3), 583(2), Sch. 37 Pt. I para. 47, **Sch. 38 Pt.I** (with ss. 1(4), 561, 562, Sch. 39)

F38 S. 38(3) substituted (1.11.1996) by 1996 c. 56, ss. 582(1)(3), **Sch. 37 Pt. I para. 47(3)** (with ss. 1(4), 561, 562, Sch. 39)

F39 S. 38(5A) inserted (1.5.1991) by Education Reform Act 1988 (c. 40, SIF 41:1), **ss. 31(6)**, 231(7), 235(6); S.I. 1991/409, **art. 6(4)** and s. 38(2)(4)-(6) repealed (1.11.1996) by 1996 c. 56, ss. 582(1)(2)(3), 583(2), Sch. 37 Pt. I para. 47(2), **Sch. 38 Pt.I** (with ss. 1(4), 561, 562, Sch. 39)

Changes to legislation: There are currently no known outstanding effects for the Education Act 1980. (See end of Document for details)

F40 Words in s. 38(7) substituted (1.11.1996) by 1996 c. 56, ss. 582(1),(3), Sch. 37 Pt. I para. 47(4) (with ss. 1(4), 561, 562, Sch. 39)

Changes to legislation: There are currently no known outstanding effects for the Education Act 1980. (See end of Document for details)

SCHEDULES

^{F41}SCHEDULE 1 **E+W**

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Textual Amendments

F41 Sch. 1 repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), **Sch. 38 Pt. I** (with ss. 1(4), 561, 562, Sch. 39)

^{F45}SCHEDULE 2 **E+W**

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Textual Amendments

F45 Sch. 2 repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), **Sch. 38 Pt. I** (with ss. 1(4), 561, 562, Sch. 39)

^{F57}SCHEDULE 3 **E+W**

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Textual Amendments

F57 Sch. 3 repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), **Sch. 38 Pt. I** (with ss. 1(4), 561, 562, Sch. 39)

^{F62}SCHEDULE 4 **E+W**

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Textual Amendments

F62 Sch. 4 repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), **Sch. 38 Pt. I** (with ss. 1(4), 561, 562, Sch. 39)

Changes to legislation: There are currently no known outstanding effects for the Education Act 1980. (See end of Document for details)

F63 SCHEDULE 5 E+W

Section 19.

Textual Amendments

F63 Sch. 5 repealed (1.1.1999) by 1998 c. 30, ss. 44(2), Sch. 4; S.I. 1998/3237, art. 2

Modifications etc. (not altering text)

C60 The text of Sch. 5 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

SCHEDULE 6 ^{F64} E+W

Textual Amendments

F64 Sch. 6 repealed by Education (No. 2) Act 1986 (c. 61, SIF 41:1) S. 67(6), Sch. 6 Pt.I

F65 SCHEDULE 7 E+W

Textual Amendments

F65 Sch. 7 repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), Sch. 38 Pt. I (with ss. 1(4), 561, 562, Sch. 39)

Changes to legislation:

There are currently no known outstanding effects for the Education Act 1980.