

Status: Point in time view as at 01/10/1993. This version of this cross heading contains provisions that are not valid for this point in time.

Changes to legislation: There are currently no known outstanding effects for the Education Act 1993 (repealed), Cross Heading: The Education Act 1944 (c. 31). (See end of Document for details)

SCHEDULES

SCHEDULE 19

MINOR AND CONSEQUENTIAL AMENDMENTS

Extent Information

E1 [Sch. 19](#): Act extends to England and Wales for exception see [s. 308\(4\)\(5\)](#)

The Education Act 1944 (c. 31)

- 3 The Education Act 1944 is amended as follows.
- 4 Section 1(1) (general duty of Secretary of State) is omitted.
- 5 In section 6(1) (local education authorities) the words from “Subject” to “Act” are omitted.

VALID FROM 01/04/1994

- 6 Section 9(5) (definition of special school) is omitted.

VALID FROM 01/01/1994

- 7 In section 15 (voluntary schools) for “the maintenance contribution payable by the Minister under this Act”, in subsections (2) and (5), there is substituted “grants under section 281 of the Education Act 1993”.

- 8 In section 16(1) (transfer of schools to new sites, etc), “any county school or” and the words following “the new site” are omitted.

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VALID FROM 01/04/1994

9 In section 26(4)(a) (special provisions as to religious education in county schools) after “particular” there is inserted “ religion or ”.

10 Section 35 (compulsory school age) is omitted.

11 Sections 37 (school attendance orders), 39 (duty of parents to secure regular attendance of registered pupils) and 40 (enforcement of school attendance) are omitted.

VALID FROM 01/04/1994

12 In section 50 (provision of board and lodging otherwise than at school)—
 (a) in subsection (1) “by them” is omitted, and
 (b) in subsection (2) after “with respect to the” there is inserted “ religion or ”.

VALID FROM 01/04/1994

13 In section 52 (recovery of cost of board and lodging otherwise than at school), in paragraph (a) of the proviso to subsection (1), “by the authority” is omitted.

14 In section 54 (power to ensure cleanliness)—
 (a) in subsection (1) after “by them” there is inserted “ and grant-maintained schools within their area ”,
 (b) in subsection (6) after “authority” there is inserted “ or at a grant-maintained school ”, and
 (c) in subsection (7)—
 (i) after “by the authority” there is inserted “ or at a grant-maintained school within the area of the authority ”, and
 (ii) for “this Act” there is substituted “ Part IV of the Education Act 1993 ”.

15 In section 55 (transport), at end of subsection (3) there is added “ and to any wish of his parent for him to be provided with education at a school or institution in which the religious education provided is that of the religion or denomination to which his parent adheres ”.

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VALID FROM 01/09/1994

16 Section 56 (power to provide education otherwise than at school) is omitted.

17 In section 58 (adaptation of enactments relating to employment of children) “for the purposes of this Act” is omitted.

VALID FROM 01/04/1994

18 In section 63(2) (exemption from local Acts and byelaws of buildings approved by the Secretary of State) after “plans for” there is inserted “ or particulars in respect of ”.

VALID FROM 01/04/1994

19 That subsection shall have effect as if the reference to plans approved by the Secretary of State included particulars given in pursuance of section 151(2)(b) of this Act.

20 In section 76 (pupils to be educated in accordance with the wishes of their parents)
—
(a) for “this Act” there is substituted “ the Education Acts 1944 to 1993 ”, and
(b) before “and local education authorities” there is inserted “ the funding authorities ”.

Commencement Information

II Sch. 19 para. 20 wholly in force at 1.4.1994; Sch. 19 para. 20 not in force at Royal Assent see s. 308(3); Sch. 19 para. 20(a) in force at 1.10.1993 by S.I. 1993/1975, art. 9, Sch. 1; Sch. 19 para. 20(b) in force at 1.4.1994 by S.I. 1994/507, art. 4, Sch. 2

VALID FROM 01/04/1994

21 In section 80(1) (registration of pupils at schools) after “to the Secretary of State” there is inserted “ to the funding authorities ”.

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VALID FROM 01/01/1994

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| | VALID FROM 01/01/1994 |
| 22 | Sections 102 and 103 (contributions and grants by Secretary of State to aided and special agreement schools) are omitted. |
- 23 In section 105 (power of Secretary of State to make loans to aided and special agreement schools in respect of initial expenditure)—
- (a) in subsection (2)—
 - (i) in paragraph (c)(i) after “premises” there is inserted “ or on a transfer of the school to a new site ” and for “a maintenance contribution” there is substituted “ grants under section 281 of the Education Act 1993 ”,
 - (ii) in paragraph (c)(iii) for the words from “which” to the end there is substituted “ being expenses in respect of which grants under section 281 of the Education Act 1993 may be paid ”,
 - (iii) paragraph (d) is omitted, and
 - (iv) in the words following that paragraph, “maintenance contribution” is omitted and for “either of the last two foregoing sections” there is substituted “ section 281 of the Education Act 1993 ”, and
 - (b) in subsection (3) after “representative of any” there is inserted “ religion or ”.

Commencement Information

- I2** [Sch. 19 para. 23](#) wholly in force at 1.4.1994; [Sch. 19 para. 23](#) not in force at Royal Assent see [s. 308\(3\)](#); [Sch. 19 para. 23\(a\)\(i\)](#) in force at 1.10.1993 (so far as it amends [1944 c. 31, s. 105\(2\)\(c\)\(i\)](#)) by [S.I. 1993/1975, art. 9, Sch. 1](#); [Sch. 19 para. 23\(a\)](#) in force for all remaining purposes at 1.1.1994 by [S.I. 1993/3106, art. 4 Sch. 1](#); [Sch. 19 para. 23\(b\)](#) in force at 1.4.1994 by [S.I. 1994/507, art. 4, Sch. 2](#)

- 24 In section 114 (interpretation)—
- (a) in subsection (1)—
 - (i) for the definition of “compulsory school age” there is substituted—

““Compulsory school age” shall be construed in accordance with section 277 of the Education Act 1993”
 - (ii) in the definition of “registered pupil”, for “pupil registered as such” there is substituted “ person registered as a pupil ”,
 - (iii) in the definition of “secondary school”, “primary or” is omitted, and
 - (iv) in the definition of “special educational needs” and “special educational provision”, for “1 of the Education Act 1981” there is substituted “ 156 of the Education Act 1993 ”, and
 - (b) for subsection (1E)(b) there is substituted—

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“(b) sections 25 to 27, 29, 37, 60, 63 and 65 of the Education Act 1993, paragraph 9 of Schedule 6 to that Act and Schedule 7 to that Act”.

Commencement Information

I3 Sch. 19 para. 24 partly in force; Sch. 19 para. 24 not in force at Royal Assent see s. 308(3); Sch. 19 para. 24(a)(ii)-(iii) in force at 1.10.1993 by S.I. 1993/1975, art. 9, Sch. 1; Sch. 19 para. 24(a)(iv)(b) in force at 1.1.1994 by S.I. 1993/3106, art. 4, Sch. 1

25 In section 116 (saving as to persons of unsound mind and persons detained by order of a court) after “this Act” there is inserted “ or by or under the Education Act 1993 ”.

VALID FROM 01/04/1994

26 In the First Schedule (local administration) Part I is omitted.

VALID FROM 01/04/1994

27 In the Fifth Schedule (procedure for preparing and bringing into operation an agreed syllabus of religious education)—

- (a) in paragraph 2(a) for “and other religious denominations” there is substituted “ denominations and other religions and denominations of such religions ”,
- (b) in the proviso to paragraph 2 for “to represent other religious denominations” there is substituted “ under sub-paragraph (a) above ”,
- (c) in paragraph 3 before “denomination”, in each place, there is inserted “ religion ”, and
- (d) in paragraph 4—
 - (i) for “religious” there is substituted “ religion ”, and
 - (ii) for the words from “vacancy occurs” to the end there is substituted “ person resigns or is withdrawn from the committee the authority shall appoint someone in his place in the same manner as that in which they made the original appointment ”.

28 In the Eighth Schedule (amendment of enactments), the entry relating to section 10 of the Children and Young Persons Act 1933 is omitted.

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