



# Education Act 1996

## 1996 CHAPTER 56

### PART X

#### MISCELLANEOUS AND GENERAL

#### CHAPTER I

#### EDUCATIONAL PREMISES

#### *Nuisance or disturbance on school premises*

#### **547 Nuisance or disturbance on school 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 playgrounds, playing fields and other premises for outdoor recreation, of—
  - (a) any school maintained by a [<sup>F1</sup>local authority], <sup>F2</sup> . . .
  - [<sup>F3</sup>(aa) any special school not so maintained, <sup>F4</sup> . . .
  - (ab) any independent school][<sup>F5</sup>, and
  - (ac) any alternative provision Academy that is not an independent school]
  - <sup>F2</sup>(b) . . . . .

[<sup>F6</sup>(2A) This section also applies to any premises which are—

- (a) provided by a [<sup>F1</sup>local authority] under [<sup>F7</sup>section 507A or 507B (if the authority are in England) or section 508 (if the authority are in Wales)], and
- (b) used wholly or mainly in connection with the provision of instruction or leadership in sporting, recreational or outdoor activities.]

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- (3) If—
- (a) a police constable, or
  - (b) (subject to subsection (5)) a person whom [<sup>F8</sup>the appropriate authority has] 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.

- [<sup>F9</sup>(4) In subsection (3) “the appropriate authority” means—
- (a) in relation to premises of a foundation, voluntary aided or foundation special school, a [<sup>F1</sup>local authority] or the governing body,
  - (b) in relation to—
    - (i) premises of any other school maintained by a [<sup>F1</sup>local authority], and
    - (ii) premises provided by a [<sup>F1</sup>local authority] as mentioned in subsection (2A),
 a [<sup>F1</sup>local authority], and
  - (c) in relation to premises of a special school which is not so maintained or of an independent school [<sup>F10</sup>or an alternative provision Academy that is not an independent school], the proprietor of the school.]
- (5) A [<sup>F1</sup>local authority] may not authorise a person to exercise the power conferred by subsection (3) in relation to premises of [<sup>F11</sup>a foundation, voluntary or foundation special school] without first obtaining the consent of the governing body.

- [<sup>F12</sup>(6) No proceedings for an offence under this section shall be brought by any person other than—
- (a) a police constable, or
  - (b) an authorised person.

- (7) In subsection (6) “authorised person” means—
- (a) in relation to an offence committed on premises of a foundation, voluntary aided or foundation special school, a [<sup>F1</sup>local authority] or a person whom the governing body have authorised to bring such proceedings,
  - (b) in relation to an offence committed—
    - (i) on premises of any other school maintained by a [<sup>F1</sup>local authority], or
    - (ii) on premises provided by a [<sup>F1</sup>local authority] as mentioned in subsection (2A),
 a [<sup>F1</sup>local authority], and
  - (c) in relation to an offence committed on premises of a special school which is not so maintained or of an independent school [<sup>F13</sup>, or an alternative provision Academy that is not an independent school], a person whom the proprietor of the school has authorised to bring such proceedings.]
- (8) A [<sup>F1</sup>local authority] may not bring proceedings for an offence under this section committed on premises of [<sup>F11</sup>a foundation, voluntary or foundation special school] without first obtaining the consent of the governing body.

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### Textual Amendments

- F1** Words in Act substituted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), **Sch. 2 para. 7(2)** (with Sch. 2 para. 7(4)(5))
- F2** S. 547(2)(b) and preceding word repealed (1.9.1999) by School Standards and Framework Act 1988 (c. 31), s. 140(1)(3), Sch. 30 para. 163(a), Sch. 31 (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch. 1**
- F3** S. 547(2)(aa)(ab) inserted (1.10.2002 for E., 1.9.2003 for W.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), **Sch. 20 para. 1(2)** (with ss. 210(8), 214(4)); S.I. 2002/2439, art. 3; S.I. 2003/1718, art. 5, Sch. Pt. II
- F4** Word in s. 547(2) omitted (1.4.2012) by virtue of [The Alternative Provision Academies \(Consequential Amendments to Acts\) \(England\) Order 2012 \(S.I. 2012/976\)](#), art. 1, **Sch. para. 8(a)** (with art. 3)
- F5** S. 547(2)(ac) and word inserted (1.4.2012) by [The Alternative Provision Academies \(Consequential Amendments to Acts\) \(England\) Order 2012 \(S.I. 2012/976\)](#), art. 1, **Sch. para. 8(a)** (with art. 3)
- F6** S. 547(2A) inserted (1.10.2002 for E., 1.9.2003 for W.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), **Sch. 20 para. 1(3)** (with ss. 210(8), 214(4)); S.I. 2002/2439, art. 3; S.I. 2003/1718, art. 5, Sch. Pt. II
- F7** Words in s. 547(2A)(a) substituted (8.1.2007) by [Education and Inspections Act 2006 \(c. 40\)](#), s. 188(2), **Sch. 1 para. 6**
- F8** Words in s. 547(3)(b) substituted (1.10.2002 for E., 1.9.2003 for W.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), **Sch. 20 para. 1(4)** (with ss. 210(8), 214(4)); S.I. 2002/2439, art. 3; S.I. 2003/1718, art. 5, Sch. Pt. II
- F9** S. 547(4) substituted (1.10.2002 for E., 1.9.2003 for W.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), **Sch. 20 para. 1(5)** (with ss. 210(8), 214(4)); S.I. 2002/2439, art. 3; S.I. 2003/1718, art. 5, Sch. Pt. II
- F10** Words in s. 547(4)(c) inserted (1.4.2012) by [The Alternative Provision Academies \(Consequential Amendments to Acts\) \(England\) Order 2012 \(S.I. 2012/976\)](#), art. 1, **Sch. para. 8(b)** (with art. 3)
- F11** Words in s. 547(5)(8) substituted (1.9.1999) by School Standards and Framework Act 1988 (c. 31), s. 140(1), **Sch. 30 para. 163(c)** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch. 1**
- F12** S. 547(6)(7) substituted (1.10.2002 for E., 1.9.2003 for W.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), **Sch. 20 para. 1(6)** (with ss. 210(8), 214(4)); S.I. 2002/2439, art. 3; S.I. 2003/1718, art. 5, Sch. Pt. II
- F13** Words in s. 547(7)(c) inserted (1.4.2012) by [The Alternative Provision Academies \(Consequential Amendments to Acts\) \(England\) Order 2012 \(S.I. 2012/976\)](#), art. 1, **Sch. para. 8(c)** (with art. 3)

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 13(2)(ba) substituted for s. 13(2)(aa)(b) by [2022 asc 1 Sch. 4 para. 8\(2\)](#)
- s. 15A(3A) inserted by [2022 asc 1 Sch. 4 para. 8\(3\)](#)
- s. 15B(3)(c) inserted by [2022 asc 1 Sch. 4 para. 8\(4\)](#)
- s. 17A functions made exercisable concurrently by [S.I. 2014/1012 art. 12\(1\)Sch. 2 para. 3](#)
- s. 17A functions made exercisable concurrently by [S.I. 2014/863 Sch. 2 para. 4](#)
- s. 17A functions made exercisable concurrently by [S.I. 2014/865 Sch. 2 para. 3](#)
- s. 17A functions made exercisable concurrently by [S.I. 2016/653 Sch. 3 para. 3](#)
- s. 17A-17D inserted by [2009 c. 22 s. 45](#)
- s. 17B-17D applied by [2009 c. 22 s. 86\(8\)](#)
- s. 457(4)(i)-(iia) repealed by [2012 c. 5 Sch. 14 Pt. 1](#)
- s. 457(4)(iii) words repealed by [2012 c. 5 Sch. 14 Pt. 1](#)
- s. 508(4) inserted by [2022 asc 1 Sch. 4 para. 8\(7\)](#)
- s. 537AA inserted by [2008 c. 25 Sch. 1 para. 8](#)
- s. 548(7A)(7B) inserted by [2008 c. 25 Sch. 1 para. 9\(5\)](#)
- s. 578(1) words repealed by [2005 c. 18 Sch. 19 Pt. 1](#)