



# Education Act 2002

## 2002 CHAPTER 32

### PART 6

#### THE CURRICULUM IN ENGLAND

##### *General duties in respect of the curriculum*

#### **79 Duty to implement general requirements**

- <sup>F1</sup>(1) The Secretary of State shall exercise his functions with a view to securing that the curriculum for every maintained school or maintained nursery school satisfies the requirements of section 78.
- (2) Every <sup>F2</sup>local authority in England shall exercise their functions with a view to securing that the curriculum for every maintained school or maintained nursery school which they maintain satisfies the requirements of section 78.]
- (3) The governing body and head teacher of every maintained school or maintained nursery school shall exercise their functions with a view to securing that the curriculum for the school satisfies the requirements of section 78.
- (4) The functions referred to in subsections (1) to (3) include in particular—
- (a) functions conferred by this Part in relation to the National Curriculum for England, and
  - (b) except in relation to maintained nursery schools <sup>F3</sup>..., functions relating to religious education and religious worship.
- <sup>F4</sup>(5) .....
- <sup>F5</sup>(6) In exercising any function which may affect the provision of sex education in maintained schools (whether or not as part of the education required to be provided under section 80(1)(d)), every local authority in England must have regard to relevant guidance issued by the Secretary of State under section 80A of this Act or section 403(1A) of the Education Act 1996.]

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*Changes to legislation: Education Act 2002, Section 79 is up to date with all changes known to be in force on or before 24 April 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) View outstanding changes*

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- (7) Except to the extent provided in subsection (6), nothing in this section shall be taken to impose duties on a [F<sup>2</sup>local authority] with regard to sex education.

#### Textual Amendments

- F1** S. 79(1)(2) substituted (1.9.2008) by [Childcare Act 2006 \(c. 21\), s. 109\(2\), Sch. 1 para. 6\(2\)](#); S.I. 2008/2261, [art. 2 \(with Sch. 1\)](#)
- F2** Words in Act substituted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\), art. 1, Sch. 2 para. 11\(2\)](#)
- F3** Words in s. 79(4)(b) repealed (1.9.2008) by [Childcare Act 2006 \(c. 21\), s. 109\(2\), Sch. 1 para. 6\(3\), Sch. 3 Pt. 1](#); S.I. 2008/2261, [art. 2 \(with Sch. 1\)](#)
- F4** S. 79(5) repealed (1.9.2008) by [Childcare Act 2006 \(c. 21\), s. 109\(2\), Sch. 1 para. 6\(4\), Sch. 3 Pt. 1](#); S.I. 2008/2261, [art. 2 \(with Sch. 1\)](#)
- F5** S. 79(6) substituted (1.9.2020) by [The Relationships Education, Relationships and Sex Education and Health Education \(England\) Regulations 2019 \(S.I. 2019/924\), reg. 1\(2\), Sch. para. 6](#)

**Changes to legislation:**

Education Act 2002, Section 79 is up to date with all changes known to be in force on or before 24 April 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.

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**Changes and effects yet to be applied to :**

- specified provision(s) amendment to earlier commencing SI 2003/1667 Sch. para. 1 by [S.I. 2004/571 Sch.](#)
- specified provision(s) amendment to earlier commencing SI 2003/1667 Sch. para. 1A and 2 by [S.I. 2005/2570 art. 2](#)

**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. 27(1A) inserted by [2010 c. 26 s. 4\(1\)](#)
- s. 29(2A)-(2D) inserted by [2009 c. 22 s. 260\(4\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 250 omitted (1.9.2012) by virtue of 2011 c. 21, s. 29(9)(d); S.I. 2012/1087, art. 3)
- s. 29B inserted by [2008 c. 25 s. 157](#)
- s. 8585A substituted for s. 85 by [2006 c. 40 s. 74\(1\)](#)
- s. 85A amendment to earlier affecting provision 2006 c. 40 s. 74(1) by [2011 c. 21 s. 31\(2\)](#)
- s. 85A(5) words substituted by [2009 c. 22 Sch. 12 para. 34](#)
- s. 86(1) s. 86 renumbered as s. 86(1) by [2006 c. 40 s. 74\(2\)\(c\)](#)
- s. 86(2) inserted by [2006 c. 40 s. 74\(2\)\(c\)](#)
- s. 88(2)-(7) inserted by [2006 c. 40 s. 74\(3\)](#)
- s. 88(7) repealed by [S.I. 2010/1080 Sch. 1 para. 45Sch. 2 Pt. 1](#) (This amendment not applied to [legislation.gov.uk](#). The insertion of s. 88(2)-(7) by 2006 c. 40, s 74(3) was repealed without ever being brought into force.)
- s. 142(9)(b) words substituted by [S.I. 2010/1158 Sch. 2 para. 11\(10\)\(b\)](#)
- s. 210A inserted by [2008 c. 25 Sch. 1 para. 79](#)