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STATUTORY INSTRUMENTS

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**2013 No. 756**

**EDUCATION, ENGLAND**

**The Education (Pupil Registration)  
(England) (Amendment) Regulations 2013**

*Made* - - - - 26th March 2013  
*Laid before Parliament* 4th April 2013  
*Coming into force* - - 1st September 2013

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 434(3), 551(1) and 569(4) of the Education Act 1996<sup>(1)</sup>.

**Citation and commencement**

1. These Regulations may be cited as the Education (Pupil Registration) (England) (Amendment) Regulations 2013 and come into force on 1st September 2013.

**Amendments to the Education (Pupil Registration) (England) Regulations 2006**

2.—(1) The Education (Pupil Registration) (England) Regulations 2006<sup>(2)</sup> are amended as follows.

(2) In regulation 7—

(a) after paragraph (1) insert—

“(1A) Subject to paragraph (2), leave of absence shall not be granted unless—

(a) an application has been made in advance to the proprietor by a parent with whom the pupil normally resides; and

(b) the proprietor, or a person authorised by the proprietor in accordance with paragraph (1), considers that leave of absence should be granted due to the exceptional circumstances relating to that application.”;

(b) omit paragraphs (3) and (4);

(3) In regulation 8(1)—

(a) in sub-paragraph (f)—

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<sup>(1)</sup> 1996 c.56 (“the 1996 Act”). There are amendments to sections 551(1) and 569(4) of the 1996 Act not relevant to these Regulations. See section 579(1) of the 1996 Act for the definition of “Regulations”.

<sup>(2)</sup> S.I. 2006/1751, as amended by S.I. 2007/603, S.I. 2010/1725, S.I. 2011/1625 and S.I. 2012/1033.

- (i) omit “exceeding ten school days for the purpose of a holiday”;
- (ii) for “regulation 7(3)”, substitute “regulation 7(1A)”;
- (b) for sub-paragraph (k) substitute—
  - “(k) that the pupil will cease to be of compulsory school age before the school next meets and—
    - (i) the relevant person has indicated that the pupil will cease to attend the school; or
    - (ii) the pupil does not meet the academic entry requirements for admission to the school’s sixth form.”.

26th March 2013

*Elizabeth Truss*  
Parliamentary Under Secretary of State  
Department for Education

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Education (Pupil Registration) (England) Regulations 2006 (“the 2006 Regulations”).

Regulation 7 of the 2006 Regulations is amended to prohibit the proprietor of a maintained school granting leave of absence to a pupil except where an application has been made in advance and the proprietor and the proprietor considers that there are exceptional circumstances relating to the application.

Regulation 8(1)(k) of the 2006 Regulations is amended to provide that the name of the pupil must be deleted from the school’s admissions register where the pupil will cease to be of compulsory school age before the school next meets and either the pupil (where they are 18) or their parent has indicated that they will no longer attend the school or where the pupil does not meet the academic entry requirements for the school’s sixth form.

An impact assessment has not been provided for this instrument as no impact on businesses or civil society organisations is foreseen. The instrument has no impact on the public sector.