

Education Act 1996

1996 CHAPTER 56

Education Act 1996 (1996 c 56)

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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 [local authority], . . .

[(aa) any special school not so maintained, *and*

(ab) any independent school,] [and

(ac) any alternative provision Academy that is not an independent school,]

(b) . . .

[(2A) This section also applies to any premises which are—

(a) provided by a [local authority] under [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.]

(3) If—

(a) a police constable, or

(b) (subject to subsection (5)) a person whom [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.

[(4) In subsection (3) “the appropriate authority” means—

(a) in relation to premises of a foundation, voluntary aided or foundation special school, a [local authority] or the governing body,

(b) in relation to—

(i) premises of any other school maintained by a [local authority], and

(ii) premises provided by a [local authority] as mentioned in subsection (2A),
a [local authority], and

(c) in relation to premises of a special school which is not so maintained or of an independent school [or an alternative provision Academy that is not an independent school], the proprietor of the school.]

(5) A [local authority] may not authorise a person to exercise the power conferred by subsection (3) in relation to premises of [a foundation, voluntary or foundation special school] without first obtaining the consent of the governing body.

[(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 [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 [local authority], or

(ii) on premises provided by a [local authority] as mentioned in subsection (2A),
a [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[, 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 [local authority] may not bring proceedings for an offence under this section committed on premises of [a foundation, voluntary or foundation special school] without first obtaining the consent of the governing body.