STATUTORY INSTRUMENTS

1980 No. 545

EDUCATION, ENGLAND AND WALES

The Education (Provision of Clothing) Regulations 1980

Made - - -	17*th April* 1980
Laid before Parliament	28*th April* 1980
Coming into Operation	19*th May* 1980

In exercise of the powers conferred by section 5(5), (6) and (6A) of the Education (Miscellaneous Provisions) Act 1948(**a**) and vested in them(**b**), the Secretary of State for Education and Science, as respects England, and the Secretary of State for Wales, as respects Wales, hereby make the following Regulations:—

1. These Regulations may be cited as the Education (Provision of Clothing) Regulations 1980 and shall come into operation on 19th May 1980.

2. The Provision of Clothing Regulations 1948(**c**) and the Provision of Clothing Amending Regulations 1956(**d**) are hereby revoked.

3.—(1) Where, under section 5 of the Education (Miscellaneous Provisions) Act 1948, a local education authority provide clothing for a pupil in such a way as to confer a right of property therein, then, subject to paragraph (2) below, the authority shall have power to require the parent of that pupil to pay to them in respect thereof—

(*a*) such sum, if any, as in their opinion he is able without financial hardship to pay, not exceeding the cost to the authority of the provision, or

(*b*) a lesser sum.

(2) In paragraph (1) above, any reference to a pupil includes a reference to such a person as is mentioned in subsection (3)(*b*) of the said section 5 and, where a pupil or other person who has attained the age of 18 years (other than

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(a) 1948 c. 40; as amended by section 17 of the Education (Miscellaneous Provisions) Act 1953 (c. 33) and section 29 of the Education Act 1980 (c. 20).
(b) S.I. 1964/490; 1970/1536; 1978/274.
(c) S.I. 1948/2222.
(d) S.I. 1956/559.

a registered pupil at a school) is provided with clothing, any reference in paragraph (1) to his parent shall be construed as a reference to the pupil or person concerned himself.

Mark Carlisle
Secretary of State for Education and Science.

14th April 1980.

Nicholas Edwards
Secretary of State for Wales.

17th April 1980.

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

These Regulations revoke the Provision of Clothing Regulations 1948 (which lapsed in part with the coming into force of section 29(1) of the Education Act 1980) and make fresh provision that where a local education authority provide clothing under section 5 of the Education (Miscellaneous Provisions) Act 1948, otherwise than on loan, they may make a charge. In conformity with section 5(6)(*b*), the sum charged is not to be such as to result in financial hardship or to exceed the authority's costs.