

PROJET DE LOI

ENTITLED

The Education (Sark) Law, 2001 *

[CONSOLIDATED TEXT]

NOTE

This consolidated version of the enactment incorporates all amendments listed in the footnote below. It has been prepared for the Guernsey Law website and is believed to be accurate and up to date, but it is not authoritative and has no legal effect. No warranty is given that the text is free of errors and omissions, and no liability is accepted for any loss arising from its use. The authoritative text of the enactment and of the amending instruments may be obtained from the Greffier, La Chasse Marette, Sark, GY10 1SF.

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* No. XIII of 2001 (Ordres en Conseil Vol. XLII(1), p. 372); as amended by the Education (Sark) (Amendment) Law, 2003 (No. IV of 2004, Ordres en Conseil Vol. XLIV(1), p. 34).

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ARRANGEMENT OF SECTIONS

1. Chief Pleas may enact Ordinances as to educational provision.
2. Citation.

The Education (Sark) Law, 2001

THE CHIEF PLEAS OF SARK, in pursuance of their Resolution of the 6th October, 1999, have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in the Island of Sark.

Chief Pleas may enact Ordinances as to educational provision.

1. (1) The Chief Pleas may by Ordinance make such provision as they think fit in relation to the provision of education in Sark; and such an Ordinance may, without limitation, include provision –

- (a) constituting a Committee of the Chief Pleas to administer this Law and any Ordinance under it and to perform such other functions as may be conferred on it,
- (b) establishing a statutory system of public education for children in Sark,
- (c) specifying the stages, purposes, objectives and standards of any such system,
- (d) requiring and regulating the provision, maintenance and management of schools [(including the provision of a safe and secure working environment)], facilities (including facilities for recreation, social and physical training, and transport), equipment and other educational resources,
- (e) for the appointment, conditions of service, disciplining and dismissal of staff,

- (f) as to secular instruction (including curricula and examinations) and religious education,
- (g) as to the funding of education (in Sark or elsewhere), the charging of fees and the provision of financial assistance,
- (h) in relation to children with special needs,
- (i) as to the attendance of children at school and as to parental duties in relation to education,
- (j) regulating the provision of –
 - (i) education and training otherwise than at school,
 - (ii) independent schools, and
 - (iii) board and lodging for children,
- (k) as to the employment of children of school age,
- (l) requiring the independent inspection of schools and the medical inspection of schoolchildren,
- (m) as to the discipline and exclusion from school of children,
- (n) prescribing compulsory school ages, the times of school days and the dates of school terms,

- (o) as to the enforcement of the provisions of the Ordinance, including the creation of criminal offences.
- (2) An Ordinance under this Law –
 - (a) may be amended or repealed by a subsequent Ordinance hereunder,
 - (b) may contain such consequential, incidental, supplementary and transitional provision as may appear to the Chief Pleas to be necessary or expedient.
- (3) Any power conferred by this Law to make an Ordinance may be exercised –
 - (a) in relation to all cases to which the power extends, or in relation to all those cases subject to specified exceptions, or in relation to any specified cases or classes of cases,
 - (b) so as to make, as respects the cases in relation to which it is exercised –
 - (i) the full provision to which the power extends, or any lesser provision (whether by way of exception or otherwise),
 - (ii) the same provision for all cases, or different provision for different cases or classes of cases (including different categories of schools), or

different provision for the same case or class of case for different purposes,

- (iii) any such provision either unconditionally or subject to any prescribed conditions.

NOTES

In section 1, the words in square brackets in paragraph (d) of subsection (1) were inserted by the Education (Sark) (Amendment) Law, 2003, section 1, with effect from 19th January, 2004.

The following Ordinances have been made under section 1:

*Education (Sark) Ordinance, 2003;
Education (Repeals) (Sark) Ordinance, 2004;
Education (Sark) (Amendment) Ordinance, 2018;
Education (Sark) (Amendment) Ordinance, 2019;
Education (Sark) (Amendment) Ordinance, 2020.*

Citation.

- 2. This Law may be cited as the Education (Sark) Law, 2001.

NOTE

The Law received Royal Sanction on 26th March, 2002 and was registered on the Records of the Island of Guernsey and came into force on 29th April, 2002.
