

**2011 No. 1100 (C. 44)**

**EDUCATION, ENGLAND AND WALES**

**The Children, Schools and Families Act 2010 (Commencement  
No.2) Order 2011**

*Made* - - - -

*1st April 2011*

The Secretary of State for Education makes the following Order in exercise of the power conferred by section 29(5) of the Children, Schools and Families Act 2010(a).

**Citation**

1. This Order may be cited as the Children, Schools and Families Act 2010 (Commencement No. 2) Order 2011.

**Provisions coming into force on 1st September 2011**

2. 1st September 2011 is the appointed day for the coming into force of section 3 of the Children, Schools and Families Act 2010.

1st April 2011

*Nick Gibb*  
Minister of State  
Department for Education

**EXPLANATORY NOTE**

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

This Order is the second Commencement Order made by the Secretary of State for Education under the Children, Schools and Families Act 2010 (“the Act”) and brings into force section 3 on 1st September 2011.

Section 3 of the Act amends section 19 of the Education Act 1996. Section 19 of the Education Act 1996 imposes a duty on local authorities in England and Wales to make arrangements for securing suitable education for children who, because of exclusion from school, illness or for any other reason may not receive such education if the arrangements are not made for them. Section 3 of the Act sets out that the duty in relation to local authorities in England is to make arrangements which are for full-time education. The exception to this is a child where the local authority consider that for reasons relating to the physical or mental health of the child, full-time education is not in their best interest. In such a case the arrangements made may be for part-time education.

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(a) 2010 c.26.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

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

The following provisions of the Children Schools and Families Act 2010 have been brought into force by a commencement order made by the Secretary of State before the date of this Order:

<i><b>Provision</b></i>	<i><b>Date of commencement</b></i>	<i><b>S.I. No.</b></i>
Section 1 and 2	1st September 2010	2010/1817
Section 4 (partially)	1st April 2011	2010/1817
Section 5 and 6	19th July 2010	2010/1817
Section 25 (partially)	19th July 2010	2010/1817
Schedule 3 paragraph 2	19th July 2010	2010/1817