



Education (Disability Strategies and Pupils' Educational Records) (Scotland) Act 2002

2002 asp 12

General

5 Regulations

- (1) Any power conferred by this Act on the Scottish Ministers to make regulations is exercisable by statutory instrument; and any such statutory instrument is subject to annulment in pursuance of a resolution of the Scottish Parliament.
- (2) Regulations under this Act may make different provision for different cases and for different classes of case.
- (3) Before making any regulations under this Act, the Scottish Ministers shall consult such persons as they think fit about the proposed regulations.

6 Interpretation

- (1) In this Act—
 - “the 1980 Act” means the Education (Scotland) Act 1980 (c.44);
 - “pupil with a disability” means a person who has a disability for the purposes of the [F1Equality Act 2010] who—
 - (a) is a pupil;
 - (b) may be admitted to a school as a pupil; or
 - (c) being a child who is under school age, may be provided with school education at a place other than a school; and
 - “responsible body” means—
 - (a) in relation to a school which is managed by an education authority, the education authority;
 - (b) in relation to an independent school, the proprietor;

Changes to legislation: There are currently no known outstanding effects for the Education (Disability Strategies and Pupils' Educational Records) (Scotland) Act 2002, Cross Heading: General. (See end of Document for details)

- (c) in relation to a school in respect of which the managers are for the time being receiving grants under section 73(c) or (d) of the 1980 Act, the managers of the school; and
 - (d) in relation to a self-governing school, the board of management.
- (2) Any expression used in this Act and in the 1980 Act has, unless the contrary intention appears, the same meaning in this Act as in that Act.
- (3) The Scottish Ministers may, by order made by statutory instrument, repeal paragraph (d) of the definition of “responsible body” in subsection (1) above.

Textual Amendments

- F1** Words in s. 6 substituted (1.10.2010) by 2010 c. 15, Sch. 26 Pt. 2 para. 101 (as inserted by [The Equality Act 2010 \(Consequential Amendments, Saving and Supplementary Provisions\) Order 2010](#) (S.I. 2010/2279), art. 1(2), **Sch. 1 para. 6**) (see S.I. 2010/2317, art. 2)

7 Short title and commencement

- (1) This Act may be cited as the Education (Disability Strategies and Pupils' Educational Records) (Scotland) Act 2002.
- (2) Sections 1 to 3 above shall come into force on such day as the Scottish Ministers may by order made by statutory instrument appoint; and different days may be so appointed for different purposes

Subordinate Legislation Made

- P1** [S. 7\(2\)](#) power fully exercised: 15.8.2002 appointed by [S.S.I. 2002/367](#), **art. 2**

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