



Local Government in Scotland Act 2003

2003 asp 1

PART 8

MISCELLANEOUS

45 Power to charge for vacant places on school buses etc.

(1) In subsection (2) (duty to allow certain pupils to use vacant places) of section 51 of the Education (Scotland) Act 1980 (c. 44), the words “without charge” are repealed.

(2) After that subsection, there is inserted—

“(2AA) An education authority may—

(a) subject to subsection (2BB) below, charge the parent of a pupil using a vacant place by virtue of subsection (2) above such sum as the authority consider appropriate; or

(b) allow a vacant place to be so used without charge,

and the authority may make different charges for different cases or different classes of case.

(2BB) An education authority may not charge any sum under subsection (2AA)(a) above unless, having had regard to the financial circumstances of the parent to be charged, the authority consider that the charge can be paid by the parent without undue hardship.”.