

Changes to legislation: There are currently no known outstanding effects for the Children and Young People (Scotland) Act 2014, Cross Heading: Education (Scotland) Act 1980. (See end of Document for details)

SCHEDULE 5 MODIFICATION OF ENACTMENTS

Education (Scotland) Act 1980

- 2 (1) The 1980 Act is amended as follows.
- (2) In section 1—
- (a) in subsection (1A), for the words from first “as” to “order” substitute “to the extent required by section 47(1) of the Children and Young People (Scotland) Act 2014”,
 - (b) omit subsections (1B) and (4A),
 - (c) in subsection (5)(a), for sub-paragraph (i) substitute—
“(i) early learning and childcare;”.
- (3) In section 53A(2), for “53(3)” substitute “ 53 ”.
- (4) In section 53B—
- (a) in subsection (1)—
 - (i) after “applies” insert “, subject to subsection (1A),”,
 - (ii) for “53(3)” substitute “ 53 ”,
 - (b) after subsection (1), insert—
“(1A) This section does not apply in such circumstances as the Scottish Ministers may by regulations prescribe.”,
 - (c) in subsection (5)(b), for “53(3)” substitute “ 53 ”.
- (5) In section 133—
- (a) in subsection (2), for “(2ZA)” substitute “ (2YA) ”,
 - (b) after subsection (2), insert—
“(2YA) Subsection (2) above shall not apply to any regulations under section 53(3)(c) of this Act; and such regulations shall be subject to the affirmative procedure.”.
- (6) In section 135—
- (a) after the definition of “dental treatment” insert—
““early learning and childcare” has the same meaning as in Part 6 of the Children and Young People (Scotland) Act 2014;”,
 - (b) for the definitions of “nursery school” and “nursery class” substitute—
““nursery schools” and “nursery classes” are schools and classes which provide early learning and childcare;”.

Commencement Information

- I1** Sch. 5 para. 2(1)(6) in force at 28.6.2014 by [S.S.I. 2014/131](#), **art. 2(1)**
- I2** Sch. 5 para. 2(2) in force at 1.8.2014 by [S.S.I. 2014/131](#), **art. 2(2)(3)**, **Sch.**
- I3** Sch. 5 para. 2(3) in force at 5.1.2015 by [S.S.I. 2014/314](#), **art. 2**, **Sch.**
- I4** Sch. 5 para. 2(4)(a)(c)(5)(a) in force at 5.1.2015 by [S.S.I. 2014/314](#), **art. 2**, **Sch.**
- I5** Sch. 5 para. 2(4)(b)(5)(b) in force at 1.8.2014 for specified purposes by [S.S.I. 2014/131](#), **art. 2(2)(3)**, **Sch.**

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- 16** Sch. 5 para. 2(4)(b)(5)(b) in force at 5.1.2015 in so far as not already in force by [S.S.I. 2014/314](#), art. 2, [Sch.](#)

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