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SCOTTISH STATUTORY INSTRUMENTS

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**2005 No. 516**

**The Education (Additional Support for Learning) (Scotland)  
Act 2004 (Transitional and Savings Provisions) Order 2005**

**Transitional arrangements for placing requests**

4.—(1) Where, before the appointed day, an education authority receives a placing request from the parent of a recorded child, sections 60 to 65G and section 28A of the 1980 Act apply as they apply to recorded children and young persons in accordance with Schedule A2 of the 1980 Act<sup>(1)</sup>, and those sections shall continue to have effect in respect of that placing request.

(2) Where, in relation to a placing request made in terms of this article—

- (a) that placing request is granted by an education authority;
- (b) an appeal committee refuses to confirm the decision of the education authority in relation to that placing request, and requires the education authority to place the child in accordance with section 28E(1) of the 1980 Act; or
- (c) a sheriff refuses to confirm the decision of the education authority in relation to that placing request, and requires the education authority to give effect to that placing request in accordance with section 28F(5) of the 1980 Act,

attendance at the school referred to in said placing request will be taken to have been the provision or, as the case may be, part of the provision immediately before the commencement date for the purposes of section 30(4) of the 2004 Act.

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(1) Schedule A2 inserted by 1981 (c. 58) section 4(3), Schedule 3, Schedule 8.