



Education (Scotland) Act 1980

CHAPTER 44

EDUCATION (SCOTLAND) ACT 1980

PART I

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- 2 Secretary of State may prescribe standards, etc., for education authorities.
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- 4 Duty of education authorities to provide child guidance service.
- 5 School education and further education
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- 9 Conscience clause.
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- 15 Transference of endowed schools to education authorities.

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- 16 Transference of denominational schools to education authorities.

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- 17 Provision, maintenance and equipment of schools and other buildings.
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- 21 Management of denominational schools.

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- 22 Discontinuance and moves of educational establishments.

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- 71 Advisory councils.

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- 78 Appointment of director of education.

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- 129 Establishment of Board to conduct examinations, etc.

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- 132 Amendment of enactments.
- 133 Regulations, etc.
- 134 Notices.
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- 136 Transitional and savings provisions, amendments and repeals.
 137 Short title, commencement and extent.

SCHEDULES

SCHEDULE A1 — Appeal Committees

- 1 An appeal committee set up under section 28D(1) of this...
- 2 An appeal committee shall consist of 3, 5 or 7...
- 3 The persons appointed shall comprise— (a) members of the authority...
- 4 The members of an appeal committee who are members of...
- 5 A person who is a member of any committee such...
- 6 A person shall not be a member of an appeal...
- 7 A person who is— (a) a teacher at a relevant...
- 8 For the purposes of paragraph 7 above, “relevant school...
- 9 An appeal committee constituted in accordance with this Schedule shall...

SCHEDULE A2 — Application of Certain Provisions of this Act to Recorded Children and Young Persons

- 1 Application of Certain Provisions of this Act to Recorded Children and Young Persons
- 2 Application of Certain Provisions of this Act to Recorded Children and Young Persons
- 3 Application of Certain Provisions of this Act to Recorded Children and Young Persons
- 4 Application of Certain Provisions of this Act to Recorded Children and Young Persons
- 5 Application of Certain Provisions of this Act to Recorded Children and Young Persons
- 6 Application of Certain Provisions of this Act to Recorded Children and Young Persons

SCHEDULE 1 — Local Inquiries

- 1 The Secretary of State shall appoint a person to hold...
- 2 The person appointed shall notify the bodies and persons appearing...
- 3 The person appointed may by notice in writing require any...
- 4 The person appointed to hold the inquiry may administer oaths...
- 5 The inquiry shall unless the Secretary of State otherwise directs...
- 6 Any person who refuses or wilfully neglects to attend in...
- 7 The Secretary of State may make orders as to the...
- 8 Any order by the Secretary of State under paragraph 7...

SCHEDULE 1A — Revocation of Determinations for the Purposes of the Assisted Places Scheme

- 1 The proprietors or managers of a participating school may request...
- 2 On the expiry of the period of notice referred to...
- 3 Subject to paragraph 4 below, the Secretary of State may...
- 4 (1) If the Secretary of State— (a) is not satisfied...
- 5 A notice of revocation of a determination given under paragraph...
- 6 Revocation of a determination shall not affect the operation of—...

SCHEDULE 1B —

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Procedure

- 1 The committee may, from time to time—
- 2 Subject to any standing orders made under paragraph 1(c) above...

General powers

- 3 Subject to the provisions of this Act, the committee or...
- 4 Without prejudice to the generality of paragraph 3 above, the...

Recovery of expenditure

- 5 Expenditure incurred by the committee shall be recoverable so far...
- 6 In so far as such expenditure is not defrayed from...

SCHEDULE 2 — Constitution of Independent Schools Tribunals

- 1 Constitution of Independent Schools Tribunals
- 2 Constitution of Independent Schools Tribunals
- 3 Constitution of Independent Schools Tribunals
- 4 Constitution of Independent Schools Tribunals
- 5 Constitution of Independent Schools Tribunals

SCHEDULE 3 — Transitional and Savings Provisions

General

- 1 Where any document refers expressly or by implication to an...
- 2 Any reference in any provision of this Act (whether expressed...

Children Requiring Special Education

- 3 Any reference in any enactment or other instrument passed or...
- 4 Any decision, made under the Act of 1962 before the...

Savings

- 5 The repeal by the said Act of 1969 of sections...
- 6 The repeal by the said Act of 1969 of section...

SCHEDULE 4 — Amendment of Enactments

- 1
- 2

The Factories Act 1961 (c. 34)

- 3 In section 176(1) (interpretation), in the definition of “child” for...

The Public Expenditure and Receipts Act 1968 (c. 14)

- 4 In Schedule 3 (variation of fees), in paragraph 1(b) for...

The Social Work (Scotland) Act 1968 (c. 49)

- 5 In section 94(1) (interpretation), in the definition of “school age”...

The Sex Discrimination Act 1975 (c. 65)

- 6 In section 22 (discrimination by bodies in charge of educational...

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- 7 In section 23(2) (other discrimination by education authorities), for the...
- 8 In section 25 (general duty in public sector of education)—...
- 9 In section 79 (educational endowments to which Part VI of...
- 10 In section 81(3)(b) (orders), for the words “128 of the...
- 11 In section 82(1) (interpretation), in the definition of “education authority”,...

The Race Relations Act 1976 (c. 74)

- 12 In section 17 (discrimination by bodies in charge of educational...
- 13 In section 18(2) (discrimination by education authorities), for the words...
- 14
- 15 In section 78(1) (interpretation), in the definitions of “education authority”,...

The National Health Service (Scotland) Act 1978 (c. 29)

- 16 In section 15(1)(f) (supply of goods and services to local...
- 17 In section 39(5) (medical and dental health inspection, supervision and...
- 18 In section 108(1) in the definitions of “education authority” and...
- 19 In paragraph 10(b) of Schedule 15 (saving of amendments), for...

Schedule 5 — Enactments Repealed

SCHEDULE 6 — Postponement of The Commencement of Certain Provisions

- 1—15
- 16 Section 127(3) and (4).

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Changes and effects yet to be applied to :

- s. 78 and cross-heading inserted by [2016 asp 8 s. 25](#)
- s. 28D(1) words substituted by [2004 asp 4 sch. 3 para. 3\(7\)\(a\)](#)
- s. 53(3)(a)(i)-(iia) repealed by [2012 c. 5 Sch. 14 Pt. 1](#)
- s. 53(3)(a)(iv) words repealed by [2012 c. 5 Sch. 14 Pt. 1](#)
- s. 73E(2) words inserted by [2017 c. 29 s. 87\(1\)\(a\)](#)
- s. 73E(3)(b) words inserted by [2017 c. 29 s. 87\(1\)\(a\)](#)
- s. 73E(6)(c) words inserted by [2017 c. 29 s. 87\(1\)\(b\)\(i\)](#)
- s. 73E(6)(c)(ii) words inserted by [2017 c. 29 s. 87\(1\)\(b\)\(ii\)](#)
- s. 98A(5)(a)(ii) word substituted by [2020 asp 13 sch. 5 para. 8\(2\)\(a\)](#)
- s. 98A(6) words substituted by [2020 asp 13 sch. 5 para. 8\(2\)\(b\)](#)
- s. 135(1) words substituted by [2020 asp 13 sch. 5 para. 8\(4\)](#)
- Sch. A1 para. 9 substituted by [1989 c. 42 Sch. 11 para. 55](#) (Sch. A1 para. 9 beginning "There shall be" substituted (prosp.) for Sch. A1 para. 9 beginning "An appeal committee" by [Local Government and Housing Act 1989 \(c. 42\), ss. 194\(1\), 195\(2\), Sch. 11 para. 55](#))

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 48A(5)(a)(I) words repealed by [2000 asp 6 Sch. 3](#)
- s. 53(3)(b)(i)-(iia) repealed by [2012 c. 5 Sch. 14 Pt. 1](#)
- s. 53(3)(b)(iii) words repealed by [2012 c. 5 Sch. 14 Pt. 1](#)
- s. 53ZA inserted by [2016 asp 8 s. 22\(3\)](#)
- s. 54A inserted by [2016 asp 8 s. 23](#)
- s. 98DA inserted by [2016 asp 8 s. 28\(2\)](#)
- s. 99(1A)(g)(ii) word substituted by [2020 asp 13 sch. 5 para. 8\(3\)](#)
- s. 99(1A)(h)(ii) word substituted by [2020 asp 13 sch. 5 para. 8\(3\)](#)