



Education (Scotland) Act 1981

CHAPTER 58

EDUCATION (SCOTLAND) ACT 1981

Placing in schools

- 1 Duty of education authority to comply with parents' requests as to schools.
- 2 Provisions supplementary to section 1.

Special educational needs

- 3 Special educational needs.
- 4 Children and young persons with certain special educational needs.

Assisted places scheme

- 5 Assisted places at grant-aided and independent schools.

Miscellaneous

- 6 Consultation on, and consent for, changes in certain educational matters.
- 7 Removal of certain controls in connection with denominational schools.
- 8 Restriction and abolition of educational schemes.
- 9 Registration of independent schools: former grant-aided schools.
- 10 Registration of independent schools: offences.
- 11 Constitution of Independent Schools Tribunals.
- 12 Education in social work establishments.
- 13 Provision relating to Examination Board.
- 14 Remuneration of teaching staff.
- 15 Educational endowments.
- 16 Inspection of religious instruction.

Changes to legislation: There are currently no known outstanding effects for the Education (Scotland) Act 1981. (See end of Document for details)

- 17 Extension of power to make conditions as to qualifications for admission to teacher training courses and for recommendations for registration.
- 18 Transfer to University Courts of certain Universities of power to appoint Principals.
- 19 Expenses.
- 20 Meaning of “principal Act”.
- 21 Amendment of enactments, transitional provisions and repeals.
- 22 Short title, commencement and extent.

SCHEDULES

SCHEDULE 1 — (to be Inserted in the Principal Act as Schedule A1)

- 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 the education committee...
- 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” means...
- 9 An appeal committee constituted in accordance with this Schedule shall...

SCHEDULE 2 — Amendments of the Education (Scotland) Act 1980

- 1 The principal Act shall be amended in accordance with the...
 - Part I — SPECIAL EDUCATIONAL NEEDS
 - 2 In section 4 (duty of education authorities to provide child...
 - 3 Sections 5 (special education for children with certain disabilities) and...
 - 4 In section 135 (interpretation)— (a) in subsection (1)—
 - Part II — RECORDING OF CHILDREN AND YOUNG PERSONS
 - 5 In section 38 (attendance orders) for paragraph (b) of subsection...
 - 6 In section 40 (period of operation of attendance orders) for...
 - 7 In section 54(4)(b) (provision of clothing for pupils at public...
 - 8 In section 135(1), at the appropriate place in alphabetical order,...
 - 9 In paragraph 3 of Schedule 3 for the words “special...
 - 10 In paragraph 4 of Schedule 3 for the words from...

SCHEDULE 3 (— (to be Inserted in the Principal Act as Schedule A2)

- Application of Certain Provisions of this Act to Recorded Children...
- 1 Sections 28B and 28D of this Act and Schedule A1...
 - 2 Sections 28C, 28E(1) to (6) and 28F(1) and (5) to...
 - 3 In relation to a recorded child, for section 28A of...
 - 4 (1) Sections 28A, 28B and 28D of this Act and...
 - 5 Sections 28C, 28E(1) to (6) and 28F(1) and (5) to...
 - 6 Section 28G of this Act shall not apply in relation...

SCHEDULE 4 — (be Inserted in the Princiapal Act as Schedule 1A)

- 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...

Changes to legislation: There are currently no known outstanding effects for the Education (Scotland) Act 1981. (See end of Document for details)

- 5 A notice of revocation of a determination given under paragraph...
- 6 Revocation of a determination shall not affect the operation of—...

SCHEDULE 5 — (to be Inserted in the Principal Act as Schedule 1B)
Remuneration of Teaching Staff: The Committee

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 6 — Educational Endowments

- 1 The principal Act shall be amended in accordance with the...
- 2 In section 77 (regulations with respect to certain institutions providing...
- 3 In section 104 (register of educational endowments)—
- 4 In section 105 (schemes for reorganisation of educational endowments)
—
- 5 In section 106 (sale of land belonging to educational endowments)—...
- 6 In section 107 (educational endowments applicable in part to non-
educational...
- 7 In section 108 (reorganisation of non-educational endowments)—
- 8 In section 109 (provisions regarding interests of individuals), in
subsection...
- 9 In section 110 (provisions as to beneficiaries of endowments and...
- 10 In section 111 (accounts and audit of educational endowments)—
- 11 In section 112 (procedure in preparation of reorganisation schemes)—
- 12 Section 113 (procedure in preparation of certain re-organisation
schemes) shall...
- 13 In section 114 (effect of schemes)— (a) in subsection (1)—...
- 14 Sections 115 (schemes for small endowments) and 116 (amending
schemes)...
- 15 In section 117 (costs of publishing scheme etc.)—
- 16 For section 118 (reports by governing bodies) there shall be...
- 17 After section 118 there shall be inserted the following section—...
- 18 In section 120 (default by governing body)—
- 19 In section 121 (judgment of Court of Session final)—
- 20 In section 122 (interpretation) for the words “Secretary of State”...

SCHEDULE 7 — Minor and Consequential Amendments

The Teaching Council (Scotland) Act 1965

- 1 In section 2(2) of the Teaching Council (Scotland) Act 1965,...
- 2 In section 7(2) of that Act, after the word “under”...

Changes to legislation: There are currently no known outstanding effects for the Education (Scotland) Act 1981. (See end of Document for details)

The Education (Scotland) Act 1980

- 3 In section 16(2) of the principal Act (conveyance of transferred...
- 4 In section 22(1) of that Act (discontinuance and moves of...
- 5 In section 23(1) of that Act (power to provide education...
- 6 In section 23(3) of that Act (areas to which classes...
- 7 After section 23(6) of that Act, there shall be inserted...

SCHEDULE 8 — Transitional Provisions

- 1 Any reference in any enactment or other instrument passed or...
- 2 During any period— (a) after the date of the coming...
- 3 During any period— (a) after the date of the coming...
- 4 During the period of three years beginning with the date...
- 5 Any consultation made or other thing done by an education...
- 6 Any— (a) appointment made under paragraph (e) of subsection (4)...
- 7 Any expression used in this Schedule and in the principal...

SCHEDULE 9 — Repeals

Changes to legislation:

There are currently no known outstanding effects for the Education (Scotland) Act 1981.