
Changes to legislation: There are currently no known outstanding effects for the Education (Scotland) Act 1996, SCHEDULE 5. (See end of Document for details)

SCHEDULES

SCHEDULE 5

Section 36.

MISCELLANEOUS AND CONSEQUENTIAL AMENDMENTS

The House of Commons Disqualification Act 1975 (c.24)

- 1 In Part II of Schedule 1 to the House of Commons Disqualification Act 1975 (bodies of which all members are disqualified) at the appropriate place there shall be inserted the following entry—

“The Scottish Qualifications Authority.”

The Education (Scotland) Act 1980 (c. 44.)

- 2 After section 51(2B) of the Education (Scotland) Act 1980 (provision of transport and other facilities) there shall be inserted the following subsection—

“(2C) In considering whether to make any arrangements under subsection (1) above in respect of pupils attending schools, an education authority shall have regard to the safety of such pupils.”

- 3 After section 66(1) of that Act (inspection of educational establishments) there shall be inserted the following subsection—

“(1A) Without prejudice to subsection (1) above, the Secretary of State shall have power to cause inspection to be made at premises where education is provided or proposed to be provided by a person to whom the Secretary of State has power to make a grant in pursuance of section 23 of the Education (Scotland) Act 1996, and such inspections shall be made by Her Majesty’s Inspectors or other persons appointed by the Secretary of State for the purpose.”

The Self-Governing Schools etc. (Scotland) Act 1989 (c.39.)

- 4 After section 13(3) of the Self-Governing Schools etc. (Scotland) Act 1989 (eligibility for self-governing status) there shall be inserted the following subsections—

“(3A) Without prejudice to subsection (3) above, where an education authority makes a proposal to discontinue a school by virtue of section 22A of the 1980 Act, no resolution shall be passed or request made under subsection (1) above during the relevant period.

(3B) The relevant period is whichever is the shorter of the period from the date when the education authority decides to consult persons in accordance with section 22A of the 1980 Act to the date the decision to discontinue the school is reached or—

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- (a) where no consent is required under section 22B, 22C or 22D of the 1980 Act as regards the decision to discontinue the school, three months later;
- (b) where consent of the Secretary of State is so required, six months later.”

- 5 In section 30(1) of that Act (change in characteristics of self-governing school)—
- (a) after the word “than” in the second place where it occurs there shall be inserted the word “ (a) ”;
 - (b) after the word “needs” there shall be inserted the words “; or
 (b) provision of a nursery class.”.

The Education (Student Loans) Act 1990 (c.6)

- 6 In Schedule 1 to the Education (Student Loans) Act 1990 (courses of higher education)—
- (a) in paragraph 4(b), for the words “Scottish Vocational Education Council” there shall be substituted the words “ Scottish Qualifications Authority ”; and
 - (b) in paragraph 6(b), for the words “of the Councils” there shall be substituted the words “ the Council or the Authority ”.

The Finance Act 1991 (c.31)

- 7 In section 32(10)(a)(ii) of the Finance Act 1991 (definition of qualifying course of vocational training) for the words “Scottish Vocational Education Council” there shall be substituted the words “ Scottish Qualifications Authority ”.

The Further and Higher Education (Scotland) Act 1992 (c.37)

- 8 In subsection (1)(b)(i) of section 6 of the Further and Higher Education (Scotland) Act 1992 (further education to which section 1 of that Act applies) for the words “Scottish Examination Board qualification” there shall be substituted the words “ qualification awarded by the Scottish Qualifications Authority ”.
- 9 In section 38 of that Act (meaning of higher education)—
- (a) in subsection (3)(d), for the words “Scottish Vocational Education Council” there shall be substituted the words “ Scottish Qualifications Authority ”; and
 - (b) in subsection (5)—
 - (i) after the word “amend” there shall be inserted the word “(a)”; and
 - (ii) at the end there shall be inserted the words “; and
 (b) subsection (3) above.”

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