



# Protection of Vulnerable Groups (Scotland) Act 2007

2007 asp 14

## PART 4

### SCHOOL CARE ACCOMMODATION SERVICES

#### 82 Meaning of “school care accommodation service”

(1) In section 2 of the 2001 Act, for subsection (4) substitute—

- “(4) A “school care accommodation service” is a service which—
- (a) consists of the provision of residential accommodation to a pupil in a place in or outwith a public, independent or grant-aided school;
  - (b) is provided (whether or not during term-time) for the purpose of or in connection with the pupil’s attendance at the school (whether current or otherwise); and
  - (c) is provided to the pupil by—
    - (i) an education authority or the managers of an independent or grant-aided school; or
    - (ii) any person under arrangements made between that person and any such authority or managers.

(4A) For the purposes of subsection (4)(c)(i) above, a service which—

- (a) falls within the description given by subsection (4)(a), (b) and (c)(ii) above; and
  - (b) is provided to the pupil in domestic premises,
- is to be regarded as being provided by that authority or (as the case may be) those managers.

(4B) A service may be excepted from the definition in subsection (4) above by regulations.”.

(2) In section 77(1) of the 2001 Act, in the definition of “school care accommodation service”, for “has the meaning given by subsection (4) of section 2” substitute “is to be construed in accordance with subsections (4) to (4B) of section 2 of”.