



# Education (Scotland) Act 2016

## 2016 asp 8

### PART 2

#### GAELIC MEDIUM EDUCATION

##### *Promotion, support and guidance*

#### **15 Duty to promote and support Gaelic medium education and learning**

- (1) Every education authority must promote the potential provision of school education in the area of the authority—
  - (a) by means of Gaelic medium education by publicising, in such manner as it thinks appropriate, the right to make a request under section 7(1) to the authority, and
  - (b) by means of Gaelic learner education in such manner as it thinks appropriate.
- (2) Where subsection (3) or (4) applies, an education authority must, so far as reasonably practicable, promote and support—
  - (a) Gaelic medium education provided in its area,
  - (b) Gaelic learner education provided in its area, or
  - (c) (as the case may be) both.
- (3) This subsection applies where an education authority, in pursuance of its duty under section 1(1) of the 1980 Act (duty of education authorities to secure provision of education) to the extent it relates to school education, secures the provision in its area of—
  - (a) Gaelic medium education,
  - (b) Gaelic learner education, or
  - (c) both.
- (4) This subsection applies where an education authority exercises the power in section 1(1C) of the 1980 Act by securing the provision in its area of—
  - (a) Gaelic medium education,
  - (b) Gaelic learner education, or
  - (c) both.

*Changes to legislation: Education (Scotland) Act 2016, Cross Heading: Promotion, support and guidance is up to date with all changes known to be in force on or before 19 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (5) In carrying out its duty of promotion under subsection (2), an education authority must take reasonable steps to ensure that it publicises, in such manner as it thinks appropriate, the provision in its area of—
- (a) Gaelic medium education,
  - (b) Gaelic learner education, or
  - (c) (as the case may be) both.
- (6) In carrying out its duty of support under subsection (2) in relation to education as mentioned in that subsection, an education authority must—
- (a) take reasonable steps to ensure that teachers in any class where the education is provided have such resources, training and opportunities as are reasonably necessary to adequately and effectively provide the education,
  - (b) take reasonable steps to ensure that pupils in any such class have such resources as are reasonably necessary to adequately and effectively receive and benefit from the education, and
  - (c) have regard to any guidance under section 9 of the Gaelic Language (Scotland) Act 2005.

#### Commencement Information

**II** [S. 15](#) in force at 1.2.2017 by [S.S.I. 2016/386](#), reg. 2, [sch.](#)

## 16 Guidance

- (1) Section 9 of the Gaelic Language (Scotland) Act 2005 (guidance on Gaelic education) is amended as follows.
- (2) In subsection (1), for “may” substitute “ must ”.
- (3) After that subsection insert—
- “(1A) Guidance under subsection (1) may, in particular, include provision relating to the provision of Gaelic education in schools.
- (1B) In subsection (1A), “schools” has the meaning given by section 135(1) of the Education (Scotland) Act 1980.”.
- (4) After subsection (2) insert—
- “(2A) Any relevant public authority having functions relating to, or to the provision of, Gaelic education must, to the extent that guidance under subsection (1) relates to the functions, have regard to the guidance in carrying out the functions.”.

#### Commencement Information

**I2** [S. 16](#) in force at 15.7.2016 by [S.S.I. 2016/192](#), reg. 2, [sch.](#)

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- specified provision(s) amendment to earlier commencing S.S.I.2017/164, sch. by [S.S.I. 2017/352 reg. 2](#)