



# Education (Scotland) Act 2016

## 2016 asp 8

### PART 2

#### GAELIC MEDIUM EDUCATION

##### *Assessments: primary education*

#### **11 Requests that need not be considered**

- (1) Subsection (2) applies where—
  - (a) a request under section 7(1) (the “original request”) is made,
  - (b) in pursuance of the original request, the education authority that receives the original request carries out an initial assessment under section 9 in relation to a GMPE assessment area,
  - (c) the authority receives another request under section 7(1) (a “further request”) which would (but for subsection (2)) require the authority to carry out an initial assessment in relation to the GMPE assessment area, and
  - (d) the further request is received within the period of 2 years beginning with the day on which the original request is received.
- (2) The education authority need not comply with the duty imposed by section 9(2) in relation to the further request (subject to subsection (4)).
- (3) For the purposes of this section, it is irrelevant—
  - (a) whether the further request—
    - (i) is made by the same person who made the original request or by another person, or
    - (ii) is made by a parent of a child in the same year group as, or a different year group from, the child whose parent made the original request, or
  - (b) whether GMPE is being provided in the GMPE assessment area to which the requests relate.
- (4) Despite subsection (2), the Scottish Ministers may, in such cases as they consider appropriate, direct an education authority to comply with the duty imposed by section 9(2) in relation to the further request.

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**Changes to legislation:** Education (Scotland) Act 2016, Section 11 is up to date with all changes known to be in force on or before 26 May 2023. 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](#)

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#### **Commencement Information**

**II** [S. 11](#) in force at 1.2.2017 by [S.S.I. 2016/386](#), reg. 2, [sch.](#)

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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](#)