SCOTTISH STATUTORY INSTRUMENTS

2001 No. 222

The Education (Assisted Places) (Scotland) Regulations 2001

PART VI

TRANSFER OF ASSISTED PLACES

Transfer of assisted places – general

24.—(1) This regulation applies where a participating school–

(a) merges with another grant aided or independent school (including a school which is not also a participating school);

(b) closes (whether wholly or in part); or

(c) notifies the Scottish Ministers that it no longer wishes to provide assisted places.

(2) Where this regulation applies, the Scottish Ministers may authorise the new school or, as the case may be, any other participating school to provide any assisted places which the old school was authorised to provide.

(3) Where the Scottish Ministers decide to authorise a replacement school pursuant to paragraph (2), they shall give written notice of their decision to that school; and that notice shall specify in respect of every transferred assisted pupil–

(a) their name, address and date of birth; and

(b) the period for which they may be provided with an assisted place by the replacement school (which, subject to paragraph (4), shall correspond to the remainder of the period for which their assisted place at the participating school first mentioned would have been available).

(4) The period for which the transferred assisted pupil may be provided with an assisted place by the replacement school shall be adjusted, as necessary, to take account of any period during which they are treated as holding an assisted place at the new school by virtue of regulation 25(1)(b) or (2).

(5) Subject to any subsequent decision by the Scottish Ministers under section 75A(1B)(b) of the Act, a transferred assisted pupil shall cease to hold an assisted place at the replacement school at the end of the period specified in the notice given under paragraph (3).

(6) In this regulation and in regulation 25–

"new school" means a school formed by the merger of the old school and another school;

"old school" means the participating school first mentioned in paragraph (1);

"replacement school" means a school authorised under paragraph (2) to provide assisted places;

"transferred assisted pupil" means a pupil admitted to an assisted place at the old school and for whom the replacement school is authorised under paragraph (2) to provide an assisted place.