

## SCHEDULE 2

### PART 2

#### Consequential amendments and revocations of subordinate legislation

##### **Education (Appeal Committee Procedures) (Scotland) Regulations 1982**

7.—(1) The Education (Appeal Committee Procedures) (Scotland) Regulations 1982(1) is amended as follows.

(2) In regulation 2 (interpretation)—

- (a) after the entry for “education authority” insert ““First-tier Tribunal” means “the First-tier Tribunal for Scotland Health and Education Chamber”; and
- (b) the definition of “Tribunal” is revoked.

(3) In regulation 8 (notification of hearing), in sub-paragraph (1)(b), for “Tribunal” substitute “First-tier Tribunal”.

##### **Advice and Assistance (Assistance by Way of Representation) (Scotland) Regulations 2003**

8.—(1) The Advice and Assistance (Assistance by Way of Representation)(Scotland) Regulations 2003(2) are amended as follows.

(2) In paragraph (s) of regulation 3 (assistance by way of representation: miscellaneous proceedings)—

- (a) for “an Additional Support Needs Tribunal” substitute “the First-tier Tribunal for Scotland”; and
- (b) for “a tribunal” substitute “the First-tier Tribunal for Scotland”.

##### **Additional Support for Learning (Co-ordinated Support Plan) (Scotland) Amendment Regulations 2005**

9.—(1) The Additional Support for Learning (Co-ordinated Support Plan) (Scotland) Amendment Regulations 2005(3) are amended as follows.

(2) In regulation 2 (Interpretation) after the entry for “Additional Support Co-ordinator” insert—  
““First-tier Tribunal” means the First-tier Tribunal for Scotland Health and Education Chamber”.

(3) In regulation 6A (information flow arrangements)—

- (a) in sub-paragraph (1)(g), for “a Tribunal” substitute “the First-tier Tribunal”;
- (b) in sub-paragraph (1)(h), for “a Tribunal” substitute “the First-tier Tribunal”;
- (c) in sub-paragraph (2), for “Tribunal” substitute “First-tier Tribunal”; and
- (d) in sub-paragraph (4), for “Tribunal” substitute “First-tier Tribunal”.

(4) In regulation 11 (discriminations, retention and destruction of the plan)—

- (a) in sub-paragraph (1)(c), for “an Additional Support Needs Tribunal” substitute “the First-tier Tribunal”; and

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(1) S.I. 1982/1736.

(2) S.S.I. 2003/179.

(3) S.S.I. 2005/518.

*Draft Legislation: This is a draft item of legislation. This draft has since been made as a Scottish Statutory Instrument: The First-tier Tribunal for Scotland (Transfer of Functions of the Additional Support Needs Tribunals for Scotland) Regulations 2018 No. 4*

- (b) in sub-paragraph (2), for “a Tribunal” substitute “the First-tier Tribunal”.

#### **Additional Support for Learning (Placing Requests and Deemed Decisions) (Scotland) Regulations 2005**

**10.**—(1) The Additional Support for Learning (Placing Requests and Deemed Decisions) (Scotland) Regulations 2005<sup>(4)</sup> is amended as follows.

(2) In regulation 2 (interpretation)—

- (a) after the entry for “appeal committee” insert ““First-tier Tribunal” means the First-tier Tribunal for Scotland Health and Education Chamber”; and  
(b) the definition of “Tribunal” is revoked.

(3) In regulation 5 (deemed decision: placing request referred to the Tribunal)—

(a) in paragraph 1—

- (i) in sub-paragraph (b), for “a Tribunal, the Tribunal” substitute “the First-tier Tribunal, the First-tier Tribunal”;  
(ii) in the closing words, for “Tribunal” substitute “First-tier Tribunal”; and

(b) the title of the regulation becomes “Deemed decision: placing requests referred to First-tier Tribunal”.

#### **Education (School and Placing Information) (Scotland) Regulations 2012**

**11.**—(1) The Education (School and Placing Information)(Scotland) Regulations 2012<sup>(5)</sup> are amended as follows.

(2) In paragraph 13(i) of schedule 1 (supplementary information), for “sections 17 to 22 (Additional Support Needs Tribunals for Scotland)” substitute “sections 18 to 22”.

#### **Scottish Parliament (Disqualification) Order 2015**

**12.**—(1) The Scottish Parliament (Disqualification) Order 2015<sup>(6)</sup> is amended as follows.

(2) In Part 1 of schedule 1 (office-holders disqualified from being a Member of the Scottish Parliament) the entry for “President of the Additional Support Needs Tribunal for Scotland” is revoked.

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(4) S.S.I. 2005/515.

(5) S.S.I. 2012/130.

(6) S.S.I. 2015/350.