

---

SCOTTISH STATUTORY INSTRUMENTS

---

**2001 No. 298**

**TERMS AND CONDITIONS OF EMPLOYMENT**

**The Right to Time Off for Study or Training  
(Scotland) Amendment (No. 2) Regulations 2001**

*Made* - - - - *5th September 2001*  
*Laid before the Scottish*  
*Parliament* - - - - *6th September 2001*  
*Coming into force* - - *1st October 2001*

The Scottish Ministers, in exercise of the powers conferred by sections 63A and 236(5) of the Employment Rights Act 1996(1) and all other powers enabling them in that behalf, having consulted with the Secretary of State, hereby make the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Right to Time Off for Study or Training (Scotland) Amendment (No. 2) Regulations 2001 and will come into force on 1st October 2001.

**Amendment of the Right to Time Off for Study or Training (Scotland) Regulations 1999**

2. The Right to Time Off for Study or Training (Scotland) Regulations 1999(2) are amended in accordance with the following regulations.

3. In regulation 2 (interpretation) there is inserted in the appropriate places in alphabetical order the following definitions:—

““ASVCE” means Advanced Subsidiary Vocational Certificate of Education;”;

““AVCE” means Advanced Vocational Certificate of Education;”;

““Key Skills Qualification” means a qualification made up of qualifications in the Key Skills of Communication, Application of Number and Information Technology;”.

4. For regulation 3(2)(g) there is substituted—

---

(1) 1996 c. 18; section 63A was inserted by the Teaching and Higher Education Act 1998 (c. 30), section 32. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of the Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc.) Order 1999 (S.I.1999/1750), Schedule 1.  
(2) S.I. 1999/1058, as amended by S.S.I. 2001/211.

“(g) where an employee has been awarded a Key Skills Qualification where level 2 in each of the qualifications which make up the Key Skills Qualification has been achieved the employee shall be treated as having achieved one GCSE Grade A\* to C”.

5. In regulation 3(4)(standard of achievement) after sub-paragraph (g) there is inserted–

“(h) grades A to E in one ASVCE; and

(i) grades A to E in one AVCE.”.

6. In the Schedule (Awarding Bodies) section B (SVQ Awarding Bodies) the following awarding body is omitted:–

“Leather Producing Industry Vocational Qualifications Board”.

7. In the Schedule (Awarding Bodies) section F (Key Skills Awarding Bodies) after “Pitman Qualifications” there is inserted the following awarding body:–

“Qualifications for Industry Ltd;”.

St Andrew’s House,Edinburgh  
5th September 2001

*ALASDAIR MORRISON*  
Authorised to sign by the Scottish Ministers

---

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Right to Time Off for Study or Training (Scotland) Regulations 1999 (“the 1999 Regulations”) which set out the standard of achievement and the qualification awarding bodies as prescribed for in sections 63A(1)(c) and 63A(2)(c) of the Employment Rights Act 1996.

Regulation 3 adds definitions of the ASVCE, AVCE and Key Skills qualifications.

Regulations 4 amends the standard of achievement for the Key Skills qualifications.

Regulation 5 adds the standard of achievement for ASVCE and AVCE qualifications.

Regulation 6 omits the Leather Producing Industry Vocational Qualifications Board from the SVQ list of awarding bodies.

Regulation 7 amends the Schedule to the 1999 Regulations by adding a further body which may award or authenticate a relevant qualification.