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SCOTTISH STATUTORY INSTRUMENTS

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**2012 No. 102**

**The Public Services Reform (Recovery of Expenses in respect of Inspection of Independent Further Education Colleges and English Language Schools) (Scotland) Order 2012**

**Amendment of the Education (Scotland) Act 1980**

**2.** In section 72 of the Education (Scotland) Act 1980<sup>(1)</sup> (expenses of Scottish Ministers)—

- (a) in subsection (1), after “1939” insert “or recovered by virtue of subsection (3)”; and
- (b) after subsection (2) insert—

“(3) The Scottish Ministers may recover from an educational establishment mentioned in subsection (4) the expenses incurred in respect of an inspection of the establishment caused by the Scottish Ministers under section 66(1) following a request by the establishment.

(4) An educational establishment referred to in subsection (3) is an establishment which—

- (a) wholly or mainly, provides “fundable further education” within the meaning of section 5 of the Further and Higher Education (Scotland) Act 2005<sup>(2)</sup>, and
- (b) is not specified in schedule 2 to that Act.”.