



Education (Scotland) Act 1980

1980 CHAPTER 44

PART VII

MISCELLANEOUS PROVISIONS

Savings and exceptions

130 Saving as to persons in the service of the Crown

No power or duty conferred or imposed by this Act on the Secretary of State, on education authorities, on parents or on young persons shall be construed as relating to any child or young person who is employed by or under the Crown in any service or capacity with respect to which the Secretary of State certifies that, by reason of the arrangements made for the education of children and young persons employed therein, the exercise and performance of those powers and duties with respect to such children and young persons is unnecessary.

131 Saving as to persons suffering from mental disorder and persons detained by order

- (1) Unless the context otherwise requires, no power or duty conferred or imposed by this Act on the Secretary of State, on education authorities or on parents or young persons shall be construed as relating to any person to whom this section applies:

Provided that nothing in this section shall prevent an education authority from providing or securing the provision of education for any such person if he is in their opinion capable of deriving benefit therefrom.

- (2) The persons to whom this section applies are—
- (a) any person who is detained in pursuance of an order made by any court or of an order of recall made by the Secretary of State;
 - (b) any child subject to a supervision requirement requiring him to reside in a residential establishment where education is provided.