



# Education (Scotland) Act 1980

## 1980 CHAPTER 44

### PART VII

#### MISCELLANEOUS PROVISIONS

#### *[<sup>F1</sup> Children and young persons in accommodation]*

#### **125A [<sup>F1</sup> Welfare of children and young persons in accommodation provided for purposes of school attendance.]**

Where, for the purposes of his being in attendance at a school, a child or young person is provided with residential accommodation, in a place in or outwith that school, by—

- (a) an education authority <sup>F2</sup>... or the managers of a grant-aided or independent school; or
- (b) by any other person in pursuance of arrangements made by any such authority <sup>F3</sup>... or managers,

the authority <sup>F3</sup>... or managers in question shall have the duty to safeguard and promote the welfare of the child or young person while he is so accommodated; and the powers of inspection exercisable by virtue of section 66(1) of this Act shall include the power to inspect the place to determine whether his welfare is adequately safeguarded and promoted there.

#### **Textual Amendments**

- F1** S. 125A inserted (1.11.1995) by 1995 c. 36, s. 35 (with ss. 90, 103(1)); S.I. 1995/2787, art. 3, **Sch.**
- F2** Words in s. 125A(a) repealed (31.12.2004) by Standards in Scotland's Schools etc. Act 2000 (asp 6), s. 61(2), **sch. 3**; S.S.I. 2004/528, art. 2(b)
- F3** Words in s. 125A(b) repealed (31.12.2004) by Standards in Scotland's Schools etc. Act 2000 (asp 6), s. 61(2), **sch. 3**; S.S.I. 2004/528, art. 2(b)

**Changes to legislation:**

Education (Scotland) Act 1980, Section 125A is up to date with all changes known to be in force on or before 13 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 48A(5)(a)(I) words repealed by [2000 asp 6 Sch. 3](#)
- s. 53(3)(b)(i)-(iia) repealed by [2012 c. 5 Sch. 14 Pt. 1](#)
- s. 53(3)(b)(iii) words repealed by [2012 c. 5 Sch. 14 Pt. 1](#)
- s. 53ZA inserted by [2016 asp 8 s. 22\(3\)](#)
- s. 54A inserted by [2016 asp 8 s. 23](#)
- s. 98DA inserted by [2016 asp 8 s. 28\(2\)](#)
- s. 99(1A)(g)(ii) word substituted by [2020 asp 13 sch. 5 para. 8\(3\)](#)
- s. 99(1A)(h)(ii) word substituted by [2020 asp 13 sch. 5 para. 8\(3\)](#)