



Education (Scotland) Act 1981

1981 CHAPTER 58

Miscellaneous

13 Provision relating to Examination Board.

- (1) Section 129 of the principal Act (establishment of Board to conduct examinations, etc) shall be amended in accordance with this section.
- (2) In subsection (2) of the said section 129, for the words “to give to the Board” there shall be substituted the words “,after consultation with the Board, to give to them”.
- (3) In subsection (3) of the said section 129—
 - (a) after the word “authorities” there shall be inserted the words “institutions of further education,”;
 - (b) the words “governing bodies of”, in both places where they occur, shall be omitted;
 - (c) after the words “directors of education” there shall be inserted the words “, educational advisers,”;
 - (d) the word “and”, where secondly occurring, shall be omitted; and
 - (e) there shall be inserted at the end the words “and grant-aided and independent schools.”.
- (4) In subsection (4) of the said section 129—
 - (a) after paragraph (b) there shall be inserted the following paragraph—
 - “(bb) make provision with respect to the determination by the Board of charges in respect of presentations for examinations conducted by them, being presentations by education authorities, the managers of educational establishments not under the management of education authorities or such other presenting authorities as may be recognised by the Board for the purpose of presentation of candidates for examination, the payment by those authorities, managers and others to the Board of such charges and the application towards meeting

Changes to legislation: There are currently no known outstanding effects for the Education (Scotland) Act 1981, Section 13. (See end of Document for details)

the Board's expenses of sums received by them in respect of such charges;"

- (b) in paragraph (c) there shall be inserted at the end the words “, for requiring the Board to ensure that adequate financial provision is made by them for such purposes as may be specified in a direction made by the Secretary of State after consultation with the Board, for requiring the submission by the Board of estimates of their income and expenditure to such body as the Secretary of State may determine (and notify to the Board) as appearing to him to be representative of local authority interests and for enabling that body to approve these estimates and for requiring the Board to obtain the prior approval of the Secretary of State to the incurring of expenditure by them in respect of the acquisition of land”; and
 - (c) paragraph (e) shall be omitted.
- (5) After subsection (4) of the said section 129 there shall be inserted the following subsections—
- “(4A) The Board may appoint such officers, servants and agents as the Board may determine and they shall be appointed at such remuneration and on such other terms and conditions as the Board may, with the prior approval of such body as may have been determined by the Secretary of State for the purposes of subsection (4)(c) above, determine.
 - (4B) The Board may pay such pensions, allowances or gratuities as they may determine to or in respect of any of their officers and servants, make such payments as they may determine towards the provision of pensions, allowances or gratuities to or in respect of any of their officers and servants or provide and maintain such schemes as they may determine (whether contributory or not) for the payment of pensions, allowances or gratuities to or in respect of any of their officers and servants.
- A determination for the purposes of this subsection is ineffective unless made with the approval of the Secretary of State.
- (4C) The reference in subsection (4B) above to pensions, allowances or gratuities to or in respect of the Board's officers and servants includes a reference to pensions, allowances or gratuities by way of compensation to or in respect of any of the Board's officers and servants who suffer loss of office or employment.”
- (6) Subsection (5) of the said section 129 shall cease to have effect.
 - (7) Subsection (6) of the said section 129 shall, until its repeal under subsection (8) below, have effect and shall be deemed always to have had effect as if at the end there were inserted the words “and he may make these grants subject to such conditions as he thinks fit and may, with the consent of the Board, vary any condition of a grant made by him under this section or, if he thinks fit, revoke it.”.
 - (8) Subsection (6) of the said section 129 shall cease to have effect.

Changes to legislation: *There are currently no known outstanding effects for the Education (Scotland) Act 1981, Section 13. (See end of Document for details)*

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Modifications etc. (not altering text)

- C1** The text of ss. 1–7, 8(1)(2), 9–17, 18(2), 21(1)(3), Schs. 1–7, 9 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

Changes to legislation:

There are currently no known outstanding effects for the Education (Scotland) Act 1981, Section 13.