



# Self-Governing Schools etc. (Scotland) Act 1989

## 1989 CHAPTER 39

### PART III

#### MISCELLANEOUS AND GENERAL

##### *Miscellaneous*

#### **68 Technology academies.**

- (1) The Secretary of State may enter into an agreement with any person under which—
  - (a) that person undertakes to establish and maintain, and to carry on, or provide for the carrying on of, an independent school, to be known as a “technology academy”, having such characteristics as are specified in the agreement and in subsection (2) below; and
  - (b) the Secretary of State agrees to make payments to that person in consideration of those undertakings.
- (2) The characteristics mentioned above are that the school—
  - (a) provides secondary education; and
  - (b) has a broad curriculum with an emphasis on science and technology.
- (3) An agreement under this section shall make any payments by the Secretary of State dependent on the fulfilment of—
  - (a) conditions and requirements imposed for the purpose of securing that no fees are payable in respect of school education provided at the school; and
  - (b) such other conditions and requirements with respect to the school as are specified in the agreement.
- (4) Payments under an agreement under this section may be in respect of capital or current expenditure and, in so far as they relate to the latter, the agreement shall provide for their continuance, subject to the fulfilment of the conditions and requirements

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**Changes to legislation:** There are currently no known outstanding effects for the Self-Governing Schools etc. (Scotland) Act 1989, Section 68. (See end of Document for details)

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mentioned in subsection (3) above, for a period of not less than seven years or for an indefinite period terminable by the Secretary of State by not less than seven years written notice.

- (5) Where such payments relate to capital expenditure, the agreement shall provide for the repayment to the Secretary of State, in the event at any time of the school being discontinued or ceasing to have the characteristics specified in the agreement and in subsection (2) above, of sums determined by reference to—
- (a) the value at that time of the school premises and other assets held for the purposes of the school; and
  - (b) the extent to which expenditure incurred in providing those assets was met by payments under the agreement.
- (6) Without prejudice to subsection (4) above, an agreement under this section may provide for indemnifying a person, in the event of the agreement being terminated by the Secretary of State, for expenditure—
- (a) incurred by that person in carrying out the undertaking mentioned in subsection (1) above; or
  - (b) incurred by that person (otherwise than by virtue of subsection (5) above) in consequence of the termination of the agreement.
- (7) Where the Secretary of State is satisfied that a person intends to enter into an agreement with him under this section as respects a technology academy he may, in advance of such agreement, and subject to such conditions and requirements as he considers appropriate, make payments to that or any other person in respect of expenditure incurred, or to be incurred, in establishing the academy.

**Changes to legislation:**

There are currently no known outstanding effects for the Self-Governing Schools etc. (Scotland) Act 1989, Section 68.