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STATUTORY INSTRUMENTS

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**1997 No. 365 (C.17) (S.30)**

**EDUCATION, SCOTLAND**

**The Education (Scotland) Act 1996  
(Commencement No. 2) Order 1997**

*Made - - - - 10th February 1997*

The Secretary of State, in exercise of the powers conferred on him by section 37(2) of the Education (Scotland) Act 1996<sup>(1)</sup> and of all other powers enabling him in that behalf, hereby makes the following Order:

**Citation**

1. This Order may be cited as the Education (Scotland) Act 1996 (Commencement No. 2) Order 1997.

**Day appointed**

2. 1st April 1997 is the day appointed for the coming into force of the Education (Scotland) Act 1996, so far as it is not already in force.

St Andrew's House,  
Edinburgh  
10th February 1997

*Raymond S Robertson*  
Parliamentary Under Secretary of State, Scottish  
Office

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into force on 1st April 1997 those provisions in the Education (Scotland) Act 1996 which on 1st April 1997 are not already in force. The Education (Scotland) Act 1996 (Commencement) Order 1996<sup>(2)</sup> brought into force the other provisions of the Act on 18th September 1996.

The provisions which come into force under this Order are sections 2 to 8 of the Act, conferring substantive functions on the Scottish Qualifications Authority (SQA), in Schedule 5 paragraphs 6 to 9 which make amendments consequential on the Authority taking up those functions, and in Schedule 6 the repeal of section 129 of the Education (Scotland) Act 1980 which provided for the Scottish Examination Board. SQA will thus take up its substantive functions on 1st April 1997.

By virtue of the Scottish Qualifications Authority (Transfer Date) (Scotland) Order 1997<sup>(3)</sup>, 1st April 1997 will also be the date when property, rights, liabilities and obligations of the Scottish Examination Board and the Scottish Vocational Education Council are transferred to SQA, when staff are also transferred, and when the Board and Council cease to exercise their substantive functions.

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<sup>(2)</sup> 1996/2250.  
<sup>(3)</sup> 1997/364.