

SCHEDULE 2 MINOR AND CONSEQUENTIAL AMENDMENTS AND REPEALS

Education (Scotland) Act 1980 (c. 44)

- 3 (1) The 1980 Act shall be amended in accordance with this paragraph.
- (2) In section 1(5)(a)(i) (nursery schools and nursery classes included in definition of “school education” for purposes of Act), for “hereinafter” substitute “such schools and classes being”.
- (3) In section 9 (conscience clause) for the words “, every grant-aided school and every self-governing school” substitute “and every grant-aided school”.
- (4) In section 10 (safeguards for religious beliefs)—
- (a) the words “, or at any self-governing school” are repealed;
 - (b) for paragraphs (a) and (b) substitute “of the school or other educational establishment, the education authority”;
 - (c) for the words “, other educational establishment or self-governing school” substitute “or other educational establishment”; and
 - (d) the words “or, as the case may be, by the board of management” are repealed.
- (5) In section 30 (duty of parents to provide education for their children), the existing provisions become subsection (1); and after that subsection add—
- “(2) Section 1 of the Standards in Scotland’s Schools etc. Act 2000 (asp 6) (right of child to be provided with school education by, or by virtue of arrangements made by, an education authority) is without prejudice to the choice afforded a parent by subsection (1) above.”.
- (6) In section 57 (medical and dental examination and inspection)—
- (a) for subsection (2) substitute—
- “(2) For the purpose of securing the proper medical or dental inspection of the pupils and young persons for whom there is a duty under the said section 39 to provide such inspection, an education authority may require the parent of any pupil in attendance at any school under their management to submit the pupil for medical or dental inspection in accordance with arrangements made by the appropriate Health Board in agreement with the authority; and the authority may require any young person in attendance at any educational establishment under their management to submit for such medical or dental inspection.”; and
- (b) in subsection (3), for the word “person” substitute “parent”.
- (7) In section 66(3) (inspection of educational establishments), after “person” insert “wilfully”.
- (8) In section 70 (powers of Scottish Ministers to enforce duties of education authorities etc.), the existing provisions become subsection (1); and after that subsection add—
- “(2) Without prejudice to the generality of subsection (1) above, in that subsection the expression “enactment” includes—
- (a) an Act of the Scottish Parliament but only in so far as it is an Act which relates to school education; and

Status: This is the original version (as it was originally enacted).

- (b) an order, regulation, rule or other instrument which has effect by virtue of an Act of the Scottish Parliament but only in so far as it is an instrument which so relates.”.
- (9) In section 135(1) (interpretation), in the definition of “independent school”, for the words “, a grant-aided school or a self-governing school” substitute “or a grant-aided school”.