



# Education and Training (Scotland) Act 2000

2000 asp 8

**The Bill for this Act of the Scottish Parliament was passed on 29 June 2000 and received Royal Assent on 7th August 2000**

An Act of the Scottish Parliament to make provision for the payment of grants in respect of the education and training of certain individuals.

## **1 Education and training: grants**

- (1) The Scottish Ministers may make regulations authorising grants to be paid to, or in respect of, individuals—
- (a) who are parties to arrangements which qualify under section 2 of this Act;
  - (b) who hold accounts which qualify under section 100 of the Learning and Skills Act 2000 (c. 21); or
  - (c) who are parties to such arrangements and hold such accounts, in connection with their education or training.
- (2) Regulations under this section may provide—
- (a) that grants may not be paid unless such conditions as are specified in the regulations are satisfied;
  - (b) that the amounts of grants, and when and how they are paid, are to be decided by the Scottish Ministers;
  - (c) that grants may be paid on such terms as the Scottish Ministers decide and that the terms may include terms requiring repayment in such circumstances as may be specified in the regulations;
  - (d) that if an individual—
    - (i) is a party to arrangements which qualify under section 2 of this Act; and
    - (ii) holds an account which qualifies under section 100 of the Learning and Skills Act 2000 (c. 21),grants shall not be payable both in respect of those arrangements and that account in relation to the same period of time;
  - (e) that if grants are payable under the regulations they may be paid to persons providing education or training;

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*Status: This is the original version (as it was originally enacted).*

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- (f) that if grants are payable under the regulations they may be paid by the Scottish Ministers or by other persons under arrangements made with them; and
  - (g) that if arrangements are made under paragraph (f) above the Scottish Ministers may pay the persons with whom they are made—
    - (i) remuneration; or
    - (ii) amounts to meet their expenses.
- (3) Conditions such as are mentioned in paragraph (a) of subsection (2) above may include conditions as to the kinds of education or training in respect of which grants are payable under this section.
- (4) Conditions such as are mentioned in subsection (3) above may include provision for the kinds of education and training to be specified—
- (a) by the Scottish Ministers in such way as they think fit; or
  - (b) if the Scottish Ministers so decide, by a person who (at the time of the specification) is designated by them for the purposes of this subsection and who specifies in a way they stipulate.
- (5) Conditions such as are mentioned in subsection (3) above may include a requirement that such kinds of education or training as may be specified in the regulations are to be provided by persons for the time being approved—
- (a) by the Scottish Ministers; or
  - (b) if they so decide, by a person who (at the time of the approval) is designated by them for the purposes of this subsection.
- (6) The Scottish Ministers may by regulations amend any reference in this section to a section of the Learning and Skills Act 2000 (c. 21) in consequence of any renumbering of clauses of the Bill for that Act during the passage of that Bill.

## 2 **Qualifying arrangements**

- (1) Arrangements qualify under this section if they satisfy such conditions as the Scottish Ministers may by regulations made under this section specify.
- (2) Conditions specified in regulations under this section may include—
- (a) conditions as to the description of individual who may enter into arrangements;
  - (b) conditions as to the employment or self-employment of individuals;
  - (c) conditions requiring that individuals—
    - (i) are not receiving; or
    - (ii) have not received,
 such benefits as may be specified in the regulations;
  - (d) conditions as to the description of body with which arrangements may be made;
  - (e) conditions as to the nature of the arrangements and the way they are to be made and conducted; and
  - (f) conditions requiring the arrangements to be identified by such name as may be specified in the regulations.
- (3) Conditions such as are mentioned in paragraph (d) of subsection (2) above may—
- (a) specify the description; or

- (b) allow the Scottish Ministers to specify it in such way as they think fit.
- (4) Conditions such as are mentioned in paragraph (d) of subsection (2) above may include a requirement that bodies shall have been given approvals by the Scottish Ministers (which have not been withdrawn).
- (5) Regulations under this section may provide that an individual who is a party to arrangements which qualify under this section may not at any time become a party to other such arrangements.

### **3 Regulations**

- (1) Any power to make regulations under this Act shall be exercisable by statutory instrument subject to annulment in pursuance of a resolution of the Scottish Parliament.
- (2) Regulations under this Act (other than under section 1(6) of this Act)—
  - (a) may make different provision for different purposes; and
  - (b) may contain such incidental, supplementary, saving or transitional provisions as the Scottish Ministers think fit.

### **4 Short title**

This Act may be cited as the Education and Training (Scotland) Act 2000.