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**Changes to legislation:** Education (Scotland) Act 2016, Paragraph 25 is up to date with all changes known to be in force on or before 26 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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SCHEDULE  
MODIFICATIONS OF THE EDUCATION (ADDITIONAL  
SUPPORT FOR LEARNING) (SCOTLAND) ACT 2004

25 In schedule 1 (Additional Support Needs Tribunal for Scotland), in paragraph 11(2)

- (a) after paragraph (f) insert—
- “(fa) seeking the views of children whose parents have made references to a Tribunal under section 18(1) in relation to the children,”
- (b) after paragraph (ka) insert—
- “(kb) enabling a convener of a Tribunal and without holding a hearing to determine specified matters relating to the decision of an education authority as respects—
- (i) the capacity of a child who has attained the age of 12 years to exercise a right under this Act, or
- (iii) whether something would adversely affect the wellbeing of a child who has attained the age of 12 years,
- (kc) the practice and procedure relating to matters that may be determined by a convener alone by virtue of paragraph (kb),
- (kd) applying (with such modifications as may be specified) section 19(2) to a convener determining a matter by virtue of paragraph (kb) as that section applies to a Tribunal,” and
- (c) in paragraph (v), after “Tribunal” where it second occurs, insert “, or a convener alone following a determination mentioned in paragraph (kb).”

**Commencement Information**

**II** Sch. para. 25 in force at 10.1.2018 by S.S.I. 2017/354, reg. 2(a)

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**Changes and effects yet to be applied to :**

- specified provision(s) amendment to earlier commencing S.S.I.2017/164, sch. by [S.S.I. 2017/352 reg. 2](#)