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*Status: This is the original version (as it was originally enacted).*

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

- 6 In section 8 (assessments and examinations)—
- (a) after subsection (2)(b)(i) insert—
    - “(ia) where the proposal relates to a child who has attained the age of 12 years, the child,”, and
  - (b) after subsection (2) insert—
    - “(2A) But a child who has attained the age of 12 years is an appropriate person for the purposes of subsection (2) only if—
      - (a) in a case where paragraph (a) of that subsection applies—
        - (i) the authority is satisfied that there has been no significant change in the circumstances of the child since the request mentioned in that paragraph was made, or
        - (ii) where the authority is not so satisfied, the authority is satisfied that the child has capacity to make the request referred to in subsection (1)(b) at the time that request is made,
      - (b) in any other case, the authority is satisfied that the child has capacity to make the request referred to in that subsection.”.