



# Education (Scotland) Act 2016

## 2016 asp 8

### PART 2

#### GAELIC MEDIUM EDUCATION

##### *Assessments: primary education*

#### **8 GMPE assessment areas**

- (1) This section applies where an education authority receives a request under section 7(1).
- (2) The authority must designate an area within the area of the authority in respect of which the need for GMPE is to be assessed.
- (3) An area designated under subsection (2) is referred to in this Part as a “GMPE assessment area”.
- (4) In considering what area to designate as a GMPE assessment area, an authority must—
  - (a) so far as reasonable, seek to accommodate—
    - (i) demand for GMPE evidenced in the request or contained in evidence accompanying the request, or
    - (ii) any other demand for GMPE of which the authority is aware in respect of children resident in the area of the authority who are under school age and have not commenced attendance at a primary school, and
  - (b) take into account factors which affect, or might affect, how any demand for GMPE could reasonably be met in the GMPE assessment area.
- (5) In taking those factors into account, the authority must have regard in particular to—
  - (a) any guidance under section 9 of the Gaelic Language (Scotland) Act 2005,
  - (b) accessibility in relation to the provision (or potential provision) of GMPE in the GMPE assessment area, and
  - (c) the residence of children who are under school age and have not commenced attendance at a primary school in respect of whom there is a demand for GMPE as mentioned in subsection (4)(a).

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**Changes to legislation:** Education (Scotland) Act 2016, Section 8 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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#### Commencement Information

**II** [S. 8](#) in force at 1.2.2017 by [S.S.I. 2016/386](#), [reg. 2](#), [sch.](#)

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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](#)