



# Education (Scotland) Act 2016

## 2016 asp 8

### PART 2

#### GAELIC MEDIUM EDUCATION

##### *Assessments: primary education*

#### 7 **Assessment requests**

- (1) A person who is the parent of a child who is under school age and has not commenced attendance at a primary school may request the education authority in whose area the child is resident to assess the need for Gaelic medium primary education (in this Part, “GMPE”).
- (2) A request under subsection (1) must—
  - (a) relate to only one child (in this Part, the “specified child”), and
  - (b) set out, or be accompanied by, evidence that there is a demand for GMPE from parents of other children who are—
    - (i) resident in the area of the authority to which the request is made, and
    - (ii) in the same year group as the specified child.
- (3) A request under subsection (1) may set out, or be accompanied by, evidence that there is a demand for GMPE from parents of other children who are—
  - (a) resident in the area of the authority to which the request is made, and
  - (b) in a different year group in relation to the specified child.
- (4) In this Part, “year group”, in relation to an education authority, means the group of children under school age all of whom, on commencing primary education at a primary school in the area of the authority, will be in the same yearly stage of primary education; and references in this Part to a child being in the same or a different year group as or in relation to other children are to be construed accordingly.
- (5) The Scottish Ministers may by regulations make further provision about requests under subsection (1).
- (6) Regulations under subsection (5) may in particular include provision for or in connection with—

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*Changes to legislation: Education (Scotland) Act 2016, Section 7 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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- (a) the form of the request and the manner in which it is to be made,
- (b) information (including evidence in addition to that mentioned in subsection (2)) that is to be set out in, or accompany, the request,
- (c) evidence as mentioned in subsections (2) and (3).

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**Commencement Information**

- I1** S. 7 in force at 1.8.2016 for specified purposes by S.S.I. 2016/192, reg. 2, **sch.**
- I2** S. 7 in force at 1.2.2017 in so far as not already in force by S.S.I. 2016/386, reg. 2, **sch.**

**Changes to legislation:**

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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](#)