
SCOTTISH STATUTORY INSTRUMENTS

2005 No. 501

**The Additional Support for Learning Dispute
Resolution (Scotland) Regulations 2005**

Interpretation

2.—(1) In these Regulations—

“the Act” means the Education (Additional Support for Learning) (Scotland) Act 2004;

“the 1980 Act” means the Education (Scotland) Act 1980⁽¹⁾;

“advice and information” includes advice or information within the meaning of sections 12 and 13 of the Act;

“application” means a request from any person mentioned in section 16(1)(a), (b) or (c) of the Act for a specified matter to be referred to an independent adjudicator for consideration;

“independent adjudicator” means a person appointed by the education authority under regulation 6 to consider an application under these Regulations;

“request” means a request within the meaning of section 28 of the Act;

“specified matter” means a decision or failure specified in the Schedule to these Regulations;

“supporting material” in relation to an application means any information provided under regulation 3(2) and in relation to the response of the education authority means any information provided under regulation 7;

“working day” means any day which is not—

- (a) a Saturday;
- (b) a Sunday;
- (c) a day from 27th December to 31st December inclusive;
- (d) a day in July; or
- (e) a day specified as a bank holiday in Scotland in or by virtue of the Banking and Financial Dealings Act 1971⁽²⁾.

(2) Any reference in these Regulations to the doing of anything in writing shall be construed in accordance with section 29(5) of the Act, except where a parent or young person reasonably requires a particular form of communication, being a form which, by reason of its having some permanence, is capable of being used for subsequent reference (as, for example, an audio or video recording).

(3) Any reference in these Regulations to the receipt of anything which is posted, is to be presumed to be a reference to such a thing having been received (unless the contrary is proved)—

- (a) on the day after the day on which it was posted; or
- (b) if posted on a Friday, Saturday or Sunday, on the Monday next following.

(1) 1980 c. 44.

(2) 1971 c. 80.

Status: *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*
