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SCOTTISH STATUTORY INSTRUMENTS

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**2007 No. 315**

**EDUCATION**

**The Education (Publication and Consultation  
Etc.) (Scotland) Amendment Regulations 2007**

<i>Made</i>	- - - -	<i>6th June 2007</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>7th June 2007</i>
<i>Coming into force</i>	- -	<i>1st August 2007</i>

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 22A of the Education (Scotland) Act 1980<sup>(1)</sup> and all other powers enabling them to do so.

**Citation and commencement**

1. These Regulations may be cited as the Education (Publication and Consultation Etc.) (Scotland) Amendment Regulations 2007 and shall come into force on 1st August 2007.

**Amendment of the Education (Publication and Consultation Etc.) (Scotland) Regulations 1981**

2.—(1) The Education (Publication and Consultation Etc.) (Scotland) Regulations 1981<sup>(2)</sup> are amended in accordance with paragraphs (2) to (4).

(2) In regulation 2(1) (Interpretation)—

(a) after the definition of “college council” insert—

““Combined Parent Council” means a Combined Parent Council established further to section 16 (Establishment etc. of Combined Parent Council) of the Scottish Schools (Parental Involvement) Act 2006;”<sup>(3)</sup>;

(b) after the definition of “further education centre” insert—

““Parent Council” means a Parent Council established further to section 6 (Scheme for establishment of a Parent Council) of the Scottish Schools (Parental Involvement) Act 2006;” and

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(1) 1980 c. 44; section 22A was inserted by section 6 of the Education (Scotland) Act 1981 (c. 58). The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).  
(2) S.I.1981/1558; as amended by S. I. 1987/2076, 1988/107 and 1989/1739.  
(3) 2006 asp 8.

- (c) omit the definition of “School Board”(4).
- (3) In regulation 6 (Manner of consultations with school and college councils)–
  - (a) for “School Board” where first and last occurring, substitute “Parent Council, Combined Parent Council”;
  - (b) for “clerk of the School Board”, substitute “clerk or chair of the Parent Council or Combined Parent Council”; and
  - (c) for “him to submit”, substitute “to be submitted”.
- (4) In Schedule 1 (Kinds Of Proposal To Be Published Or Made Available And Persons To Be Consulted Thereon In Accordance With Section 22A Of The Act) for “School Board” in all instances where it occurs substitute “Parent Council or Combined Parent Council”.

St Andrew’s House,  
Edinburgh  
6th June 2007

*MAUREEN WATT*  
Authorised to sign by the Scottish Ministers

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(4) Regulation 2 of the Education (Publication and Consultation Etc.) (Scotland) Amendment Regulations 1989 (S.I. [1989/1739](#)) substituted “School Board” for “school council” following their establishment under section 1 of the School Boards (Scotland) Act [1988 \(c. 47\)](#).

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations further amend the Education (Publication and Consultation Etc.) (Scotland) Regulations 1981 (“the 1981 Regulations”). School Boards, established by section 1 of the School Boards (Scotland) Act 1988, are abolished with effect from 1st August 2007 by the Scottish Schools (Parental Involvement) Act 2006 (“the 2006 Act”). Parent Councils and Combined Parent Councils are provided for under sections 6 and 16 respectively, and functions are provided under sections 8 and 16 respectively of the 2006 Act. These Regulations reflect the change from School Boards to Parent Councils and Combined Parent Councils.

The 1981 Regulations require an education authority to consult various interested bodies, including the relevant School Board when making proposals of a prescribed kind affecting a school. These Regulations amend the 1981 Regulations so as to substitute references to a Parent Council or Combined Parent Council for those made to a School Board, making such a Council a body to be consulted in respect of prescribed proposals.