

## SCHEDULE 1

### MODIFICATION OF PRIMARY LEGISLATION

#### **Education (Scotland) Act 1980**

4.—(1) The Education (Scotland) Act 1980<sup>(1)</sup> is amended as follows.

(2) In section 36(3) (provision of information to Principal Reporter where failure to attend school regularly)<sup>(2)</sup>, for “53(1) of the Children (Scotland) Act 1995” substitute “60 of the Children’s Hearings (Scotland) Act 2011 (asp 1)”.

(3) In section 44(2) (failure to attend school regularly: powers of court)<sup>(3)</sup>, for “54(1) of the Children (Scotland) Act 1995” substitute “62(1) of the Children’s Hearings (Scotland) Act 2011 (asp 1)”.

(4) In section 131 (functions conferred by Act not to apply in relation to certain children etc.)<sup>(4)</sup>—

(a) in paragraph (b) of subsection (2), for “supervision requirement” substitute “compulsory supervision order”; and

(b) after that subsection, insert—

“(3) In this section—

“compulsory supervision order” has the meaning given by section 83 of the Children’s Hearings (Scotland) Act 2011 (asp 1),

“residential establishment” has the meaning given by paragraph (a) of the definition of that expression in section 202(1) of that Act.”.

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(1) 1980 c.44.

(2) Section 36(3) was amended by the Children (Scotland) Act 1995 (c.36), Schedule 4, paragraph 28(2).

(3) Section 44(2) was amended by the Children (Scotland) Act 1995 (c.36), Schedule 4, paragraph 28(3)(b).

(4) Section 131(2) was amended by the Mental Health (Care and Treatment) (Scotland) Act 2003 (asp 13), section 277(3).