

2020 No. 149

EDUCATION

**The Education (Deemed Decisions) (Coronavirus) (Scotland)
Amendment Regulations 2020**

Made - - - - at 9.30 a.m. on 14th May 2020

Laid before the Scottish Parliament at 12.30 p.m. on 14th May 2020

Coming into force in accordance with regulation 1

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 28D(3)(b) and 28H(5)(b) of the Education (Scotland) Act 1980(a) and all other powers enabling them to do so.

Citation and commencement

1. These Regulations may be cited as the Education (Deemed Decisions) (Coronavirus) (Scotland) Amendment Regulations 2020 and come into force on the day after the day on which they are made.

Deemed decision of education appeal committee

2. In regulation 5(1) of the Education (Placing in Schools Etc-Deemed Decisions) (Scotland) Regulations 1982(b) (deemed decision of appeal committee)—

(a) for subparagraph (a), substitute—

“(a) failed to hold a hearing within the period of 4 months immediately following receipt by them of the reference;”

(b) in the full-out, omit “1 month.”

JOHN SWINNEY

A member of the Scottish Government

St Andrew's House,
Edinburgh
At 9.30 a.m. on 14th May 2020

(a) 1980 c.44. Sections 28D and 28H of the Education (Scotland) Act 1980 were inserted by section 1(1) 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).

(b) S.I. 1982/1733. Regulation 5(1) was relevantly amended by S.S.I. 2020/128.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Education (Placing in Schools Etc-Deemed Decisions) (Scotland) Regulations 1982 in relation to the time period after which the failure of an education appeal committee to hold a hearing is treated as a deemed decision. The changes made by these Regulations are necessary as a result of disruption caused by coronavirus (severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2)).

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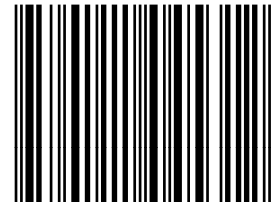
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