SCOTTISH STATUTORY INSTRUMENTS

2002 No. 90

EDUCATION

The Provision of School Education for Children under School Age (Prescribed Children) (Scotland) Order 2002

Made - - - -	*4th March 2002*
Laid before the Scottish Parliament - - - -	*7th March 2002*
Coming into force - -	*1st April 2002*

The Scottish Ministers, in exercise of the powers conferred by sections 1(1A) and 1(1B) of the Education (Scotland) Act 1980(**1**), and of all other powers enabling them in that behalf, hereby make the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Provision of School Education for Children under School Age (Prescribed Children) (Scotland) Order 2002 and shall come into force on 1st April 2002.

(2) In this Order–

"primary school" does not include a nursery class in such a school;

"school year" means a period of 12 months commencing on 1st August of any year;

"starting point", in relation to a child, means–

(a) where a child's third birthday falls on or between 1st March and 31st August, the autumn term immediately following that birthday;

(b) where a child's third birthday falls on or between 1st September and 31st December, the spring term immediately following that birthday; and

(c) where a child's third birthday falls on or between 1st January and the last day of February, the summer term immediately following that birthday;

"the 1980 Act" means the Education (Scotland) Act 1980.

(3) For the purposes of this Order the terms of a school year shall be taken to commence during the following periods–

as respects the autumn term, the period 1st August to 31st December;

(**1**) 1980 c. 44. 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). Sections 1(1A) and 1(1B) were inserted by section 32(3) of the Standards in Scotland's Schools etc. Act 2000 (asp 6).