
SCOTTISH STATUTORY INSTRUMENTS

2000 No. 361 (C. 14)

EDUCATION

**The Standards in Scotland's Schools etc. Act 2000
(Commencement No. 3 and Transitional Provisions) Order 2000**

Made - - - - 12th October 2000

The Scottish Ministers, in exercise of the powers conferred upon them by section 61(2), (3) and (4) of the Standards in Scotland's Schools etc. Act 2000⁽¹⁾, hereby make the following Order:

Citation

1. This Order may be cited as the Standards in Scotland's Schools etc. Act 2000 (Commencement No. 3 and Transitional Provisions) Order 2000.

Interpretation

2. In this Order—

“the Act” means the Standards in Scotland's Schools etc. Act 2000;

“the 1965 Act” means the Teaching Council (Scotland) Act 1965⁽²⁾; and

“the 1980 Act” means the Education (Scotland) Act 1980⁽³⁾.

Commencement of provisions

3.—(1) Subject to the provisions of article 4 of this Order, the provisions of the Act specified in column 1 of Part I of the Schedule to this Order and described by reference to the subject matter in column 2 of Part I of that Schedule shall, insofar as they are not then in force, come into force on 13th October 2000 but, where a particular purpose is specified in relation to any provision in column 3 of Part I of that Schedule, that provision shall come into force on that day for that purpose only.

(2) Subject to the provisions of article 4 of this Order, the provisions of the Act specified in column 1 of Part II of the Schedule to this Order and described by reference to the subject matter in column 2 of Part II of that Schedule shall, insofar as they are not then in force, come into force on 1st November 2001 but, where a particular purpose is specified in relation to any provision in column 3 of Part II of that Schedule, that provision shall come into force on that day for that purpose only.

(1) 2000 asp 6.
(2) 1965 c. 19.
(3) 1980 c. 44.

Transitional and savings provisions

4.—(1) Notwithstanding the repeal of section 98(2A) of the 1980 Act by the coming into force of section 24 of the Act on 13th October 2000, the protection of section 98(2A) of the 1980 Act shall continue to apply to any person who has conducted an independent school within the period of one month immediately before 13th October 2000.

(2) Paragraphs 9 and 10 of Schedule 2 to the 1988 Act, as substituted by section 30 of the Act, shall apply only to vacancies which arise after 13th October 2000.

(3) Notwithstanding the coming into force on 13th October 2000 of section 51 of the Act for the purpose specified in relation to that section in column 3 of Part I of the Schedule to this Order, section 12(1) of the 1965 Act shall continue in force as originally enacted until 31st October 2001.

Victoria Quay, Edinburgh
12th October 2000

SAM GALBRAITH
A member of the Scottish Executive

SCHEDULE

Article 3(1) and (2)

PART I

PROVISIONS OF THE ACT WHICH COME
INTO FORCE ON 13TH OCTOBER 2000

<i>Column 1</i> <i>Provisions of the Act</i>	<i>Column 2</i> <i>Subject matter</i>	<i>Column 3</i> <i>Purpose</i>
1	Right of child to school education	
2	Duty of education authority in providing school education	
3	Raising standards	
4	National priorities in education	
5	Education authority's annual statement of improvement objectives	
6	School developments plans	
7	Review of school performance	
8	Delegation schemes	
11	Inspection of educational establishments	
12	Code of practice as regards inspection of educational establishments	
13	Guidance to education authorities: raising standards and delegation schemes	
14	Guidance to education authorities as to home education	
16	No justification for corporal punishment	
17	Ending of self governing status of school	
18	Order supplementary to ending of self governing status	
19	Transfer of staff of self governing school	
20	Provision of information in relation to self governing school	

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

<i>Column 1</i> <i>Provisions of the Act</i>	<i>Column 2</i> <i>Subject matter</i>	<i>Column 3</i> <i>Purpose</i>
21	Educational endowments in relation to self governing school	
24	Registration of independent school	
25	Welfare of pupil attending independent school	
26	Role of School Board in raising standards and improving quality of education	
27	Election of School Board after school ceases to be self governing	
29	Restriction of councillor's membership of School Board	
30	Involvement of School Board in preparing short list for appointment of head teacher etc.	
31	Delegation of education authority's functions to School Board	
38	Admission of children under school age to primary school	
40	Education outwith school	
41	Rights of appeal against exclusion from school	
42	Grants in respect of activities relating to school education	
43	Placing requests: extent of education authority's duty	
44 (other than the words from "or (vii)" to "numbers;" in section 44(4))	Further provision as respects placing requests	
45	Functions of the Council	
46(1) and (2)	Constitution of the Council	Only for the purpose of enabling elections to be held and appointments and nominations to be made [amending the 1965 Act and bringing those amendments into force to enable elections to be held] prior to 1st November