



# Standards in Scotland's Schools etc. Act 2000

2000 asp 6

## *Pre-school children*

### **32 Provision of education for pre-school children etc**

- (1) Section 1 of the 1980 Act (which imposes a duty on education authorities to secure the provision of education) shall be amended in accordance with this section.
- (2) In subsection (1), for the word “(2)” there shall be substituted “(1A)”.
- (3) After subsection (1) there shall be inserted—
  - “(1A) The duty imposed on education authorities by subsection (1) above shall, in relation to children who are under school age, be exercisable only as respects children of such description or descriptions as may be prescribed by order.
  - (1B) Where an order is made under subsection (1A) above, the amount of school education with which children of a description prescribed in that order are to be provided shall also be prescribed in the order.
  - (1C) An education authority shall have power in relation to pre-school children to secure for their area the provision of such school education, other than that which they are required by subsection (1) above to secure, as they think fit.”.
- (4) Subsection (2) is repealed.
- (5) After subsection (4) there shall be inserted—
  - “(4A) The power to make an order under this section shall be exercisable by statutory instrument subject to annulment in pursuance of a resolution of the Scottish Parliament.
  - (4B) In this section “pre-school children” means—
    - (a) children who are under school age and have not commenced attendance at a primary school (other than a nursery class in such a school); and

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*Status: This is the original version (as it was originally enacted).*

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- (b) children who have attained school age but have not commenced attendance at such a school.”.