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SCOTTISH STATUTORY INSTRUMENTS

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**2006 No. 367**

**The Electronic Communications (Scotland) Order 2006**

*Education*

**Amendment to the Education (Scotland) Act 1980**

4. After section 28K (information as to pupils) of the Education (Scotland) Act 1980(1), insert—

**“Use of electronic communications**

**28L.**—(1) This section applies for the purposes of doing anything in writing under—

- (a) section 28A(1) or (4)(2);
- (b) section 28E(3) or (5);
- (c) section 28H(3); or
- (d) regulations made under section 28A(5), 28D(3) or 28H(5),

of this Act.

(2) Subject to subsection (3) below, any request, information, notification or other thing which must be in writing may be done by means of a document—

- (i) transmitted by electronic means;
- (ii) received in legible form; and
- (iii) capable of being used for subsequent reference.

(3) An education authority shall be bound to accept receipt of a request made under section 28A(1) of this Act by way of electronic communication only if that authority—

- (a) has passed a resolution to accept receipt of requests so transmitted; and
- (b) has, under section 28B(1)(a) of this Act, published or otherwise made that resolution available.”.

**Amendment to the Education (Student Loans) (Scotland) Regulations 2000**

5. In regulation 6(11) (applications for loans) of the Education (Student Loans) (Scotland) Regulations 2000(3), omit “signed”.

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(1) 1980 c. 44. Section 28K was inserted by the Education (Schools) Act 1992 (c. 38), section 17.

(2) Sections 28A, 28B, 28D, 28E and 28H were inserted by the Education (Scotland) Act 1981 (c. 58), section 1(1).

(3) S.S.I. 2000/200, amended by S.S.I. 2001/311, 2004/469 and 2005/217, 341 and 572.