



Education (Scotland) Act 1980

1980 CHAPTER 44

PART III

ADMINISTRATION AND FINANCE

Finance

^{F1}73D Provision as to maximum amounts of certain allowances.

- (1) This section applies to allowances payable by virtue of section 73(f) of this Act in respect of the fees charged in connection with ^{F2} . . .
- (2) The Secretary of State may by order made by statutory instrument determine the maximum amount payable in any academic year of allowances to which this section applies in respect of such courses or classes of courses of higher education as may be so determined and, subject to subsection (3) below, a statutory instrument containing an order under this subsection shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (3) Where the Secretary of State has determined a maximum amount under subsection (2) above, he shall not make a further determination increasing that maximum amount under that subsection unless—
 - (a) he is satisfied that the increase is no greater than is required to maintain the allowance's value in real terms; or
 - (b) a draft of the order containing the further determination has been laid before, and approved by a resolution of, each House of Parliament.
- (4) For the purposes of subsection (3)(a) above the Secretary of State shall have regard to such retail prices index as appears to him to be appropriate.
- (5) In subsection (2) above, “courses of higher education” means courses of higher education falling within section 38 of the ^{M1}Further and Higher Education (Scotland) Act 1992.

Changes to legislation: Education (Scotland) Act 1980, Section 73D is up to date with all changes known to be in force on or before 01 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Textual Amendments

- F1** Ss. 73A-73D inserted (16.7.1998) by 1998 c. 30, **ss. 29(2), 46(3)** (with s. 42(8))
- F2** Words in s. 73D(1) repealed (3.5.2001) by 2001 asp 6, **ss. 3(4), 5(2)**
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Marginal Citations

- M1** 1992 c. 37.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 48A(5)(a)(I) words repealed by [2000 asp 6 Sch. 3](#)
- s. 53(3)(b)(i)-(iia) repealed by [2012 c. 5 Sch. 14 Pt. 1](#)
- s. 53(3)(b)(iii) words repealed by [2012 c. 5 Sch. 14 Pt. 1](#)
- s. 53ZA inserted by [2016 asp 8 s. 22\(3\)](#)
- s. 54A inserted by [2016 asp 8 s. 23](#)
- s. 98DA inserted by [2016 asp 8 s. 28\(2\)](#)
- s. 99(1A)(g)(ii) word substituted by [2020 asp 13 sch. 5 para. 8\(3\)](#)
- s. 99(1A)(h)(ii) word substituted by [2020 asp 13 sch. 5 para. 8\(3\)](#)