



# Education (Scotland) Act 1980

## 1980 CHAPTER 44

### PART V

#### INDEPENDENT SCHOOLS

#### **98 Registration of independent schools.**

(1) The Secretary of State shall appoint one of his officers to be the Registrar of Independent Schools in Scotland (hereinafter in this Part of this Act referred to as “the Registrar”), and it shall be the duty of the Registrar to keep a register of independent schools, which shall be open to public inspection at all reasonable times, <sup>F1</sup>...

<sup>F1</sup>(1A) .....

<sup>F2</sup>(2) The Registrar shall record in the register—

- (a) in relation to every application under section 98A(1) of this Act for registration of an independent school, such information as the Scottish Ministers may direct;
- (b) in relation to any conditions imposed by virtue of this Part of this Act on the carrying on of a registered school, such information (including information relating to any variation and revocation of such conditions) as the Scottish Ministers may direct;
- (c) every order of an Independent Schools Tribunal or the Scottish Ministers imposing any disqualification under this Part of this Act; and
- (d) in relation to every registered school, such information relating to particulars prescribed under paragraph (a) of subsection (3) below—
  - (i) furnished by virtue of that paragraph; and
  - (ii) notified by virtue of paragraph (b) of that subsection, to the Registrar as the Scottish Ministers may direct.

(2A) Where an order removing any disqualification under this Part of this Act is made by—

- (a) the Scottish Ministers; or
- (b) the sheriff principal,

*Status: Point in time view as at 23/02/2009.*

*Changes to legislation: Education (Scotland) Act 1980, Section 98 is up to date with all changes known to be in force on or before 16 July 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)*

the Registrar shall remove the order imposing that disqualification from the register.]

(3) The Secretary of State shall make regulations—

- (a) prescribing the particulars information as to which is to be furnished to the Registrar by the proprietors of [<sup>F3</sup>registered] schools and the manner in which it shall be so furnished;
- (b) requiring the notification to the Registrar of any changes in such particulars;
- <sup>F4</sup>(c) .....
- (d) dealing with such incidental matters as the Secretary of State may deem expedient.

**Textual Amendments**

- F1** Words in s. 98(1) and (1A) repealed (31.12.2005) by [School Education \(Ministerial Powers and Independent Schools\) \(Scotland\) Act 2004 \(asp 12\)](#), s. 9(2), **sch. 2**; S.S.I. 2005/10, art. 3(d) (with art. 3(2))
- F2** S. 98(2)-(2A) substituted (31.12.2005) for s. 98(2) by [School Education \(Ministerial Powers and Independent Schools\) \(Scotland\) Act 2004 \(asp 12\)](#), **ss. 4, 9(2)**; S.S.I. 2005/570, art. 2(a) (with art. 3(2))
- F3** Word in s. 98(3)(a) substituted (31.12.2005) by [School Education \(Ministerial Powers and Independent Schools\) \(Scotland\) Act 2004 \(asp 12\)](#), s. 9(2), **sch. 1 para. 1(2)**; S.S.I. 2005/570, art. 2(c) (with art. 3(2))
- F4** S. 98(3)(c) repealed (31.12.2005) by [School Education \(Ministerial Powers and Independent Schools\) \(Scotland\) Act 2004 \(asp 12\)](#), s. 9(2), **sch. 2**; S.S.I. 2005/10, art. 3(d) (with art. 3(2))

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