
SCOTTISH STATUTORY INSTRUMENTS

2001 No. 222

The Education (Assisted Places) (Scotland) Regulations 2001

PART VI

TRANSFER OF ASSISTED PLACES

Transfer of assisted places on school merger – transitional provisions

25.—(1) In a case falling within regulation 24(1)(a)–

- (a) authorisation pursuant to regulation 24(2) may be given no later than 3 months after the date on which the old school ceased to provide assisted places; and
- (b) pending a decision on authorisation or the expiry of those 3 months without a decision being given, an assisted pupil at the old school shall be treated as holding an assisted place at the new school if they are in attendance at that school.

(2) In such a case, if the Scottish Ministers consider when giving authorisation that it is appropriate for an assisted pupil to transfer to a replacement school, other than the new school, at a future date no later than the beginning of the first term in the immediately following school year and to remain in attendance at the new school meantime, the pupil shall, if they remain in attendance at the new school, be treated until that date as holding an assisted place there and as not holding an assisted place at the replacement school.