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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

PART 2 of the School Education (Ministerial Powers and Independent Schools) (Scotland) Act 2004 revises and amends the legislation governing independent schools within the Education (Scotland) Act 1980.

These Regulations revoke the Registration of Independent Schools (Scotland) Regulations 2005 ('the 2005 Regulations'), revising the structure which is set out in those Regulations in relation to the provision of information to the Scottish Ministers, and to the Registrar of Independent Schools, concerning applications for registration of independent schools, and for existing registered schools, respectively.

Regulation 3 sets out, under reference to the Schedules to the Regulations, the information as to particulars to be provided to the Scottish Ministers by a proprietor seeking registration of an independent school.

Regulation 4, which represents the main revision to the structure of the 2005 Regulations, deals with the particulars information which requires to be provided to the Registrar by proprietors of schools which are registered. In terms of regulation 4(1) proprietors require to provide the information which is specified in the Schedules, annually, to the Registrar. This is however qualified by regulation 4(2) which enables the Registrar to advise proprietors of information not required, on the basis of it already being known to the Registrar.

Regulation 5 requires changes which relate to certain specified particulars to be notified to the Registrar within one month of them occurring.