

**2010 No. 326**

**EDUCATION**

**The Education (Lower Primary Class Sizes) (Scotland)  
Amendment Regulations 2010**

*Made* - - - - - *14th September 2010*

*Laid before the Scottish Parliament* *16th September 2010*

*Coming into force* - - - *11th October 2010*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 2 of the Education (Scotland) Act 1980(a) and all other powers enabling them to do so.

**Citation and commencement**

1. These Regulations may be cited as the Education (Lower Primary Class Sizes) (Scotland) Amendment Regulations 2010 and come into force on 11th October 2010.

**Amendment of the Education (Lower Primary Class Sizes) (Scotland) Regulations 1999**

2.—(1) The Education (Lower Primary Class Sizes) (Scotland) Regulations 1999(b) are amended as follows.

(2) In regulation 3 (limit on lower primary class sizes)—

- (a) at the beginning of paragraph (1) insert “Subject to paragraph (5)”;
- (b) in paragraph (4)—
  - (i) omit “Any limit” and insert “The limit of 30 pupils”;
  - (ii) omit “this regulation” and insert “paragraphs (1) and (2)”;
  - (iii) at the end of sub-paragraph (a) insert “until the end of the school year beginning in 2010”; and

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(a) 1980 c.44; section 2 was amended by the Self-Governing Schools etc. (Scotland) Act 1989 (c.39), section 69(1) and by the Education (Scotland) Act 1996 (c.44), Schedule 6, paragraph 1. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

(b) S.I. 1999/1080 as amended by S.S.I. 2005/517.

(c) after paragraph (4) insert—

“(5) In respect of the school year beginning in 2011 and each subsequent school year, in relation to a Primary 1 class, the limit on the number of pupils imposed in paragraphs (1) and (2) shall be 25.”.

St Andrew’s House,  
Edinburgh  
14th September 2010

*MICHAEL W RUSSELL*  
A member of the Scottish Executive

## **EXPLANATORY NOTE**

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

These Regulations amend the Education (Lower Primary Class Sizes) (Scotland) Regulations 1999 (S.I. 1999/1080) (“the principal Regulations”).

Regulation 2 of these Regulations amends regulation 3 of the principal Regulations to make the class size maximum for primary 1 classes 25 pupils, subject to the limited provision for excepted pupils made by regulation 4 of the principal Regulations. The new class size maximum for primary 1 applies to the 2011/12 school year and each subsequent school year thereafter.

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