

SCOTTISH STATUTORY INSTRUMENTS

2016 No. 346

**The Freedom of Information (Scotland) Act
2002 (Time for Compliance) Regulations 2016**

Grant-aided schools and independent special schools

2.—(1) This regulation applies to a request for information that is received by—

- (a) a grant-aided school as defined in section 135(1) of the Education (Scotland) Act 1980^{M1}; or
- (b) an independent special school listed in the Register of Independent Schools kept pursuant to section 98 of the Education (Scotland) Act 1980 and which falls within paragraph (a) of the definition of “special school” in section 29(1) of the Education (Additional Support for Learning) (Scotland) Act 2004^{M2}.

(2) Where regulation 2(1) applies, subsections (1) and (3) of section 10 and section 21(1) of the Freedom of Information (Scotland) Act 2002 have effect as if references to the twentieth working day were references to either—

- (a) the twentieth working day disregarding any working day which, in relation to the school referred to in paragraph (1), is not a school day; or
- (b) the sixtieth working day,

whichever occurs first.

(3) For the purposes of this regulation, “school day” means in relation to a particular school a day on which the school is ordinarily open to its pupils for the purpose of their school education.

Marginal Citations

- M1** 1980 c.44. The definition of “grant-aided school” was amended by the [Education \(Scotland\) Act 1981 \(c.58\)](#), [section 5\(2\)](#); the [Self-Governing Schools etc. \(Scotland\) Act 1989 \(c.39\)](#), [schedule 10](#), paragraph 8 and the [Standards in Scotland's Schools etc. Act 2000 \(asp 6\)](#), [schedule 3](#).
- M2** 2004 asp 4.

Changes to legislation:

There are currently no known outstanding effects for the The Freedom of Information (Scotland) Act 2002 (Time for Compliance) Regulations 2016, Section 2.