



Education (Scotland) Act 1980

1980 CHAPTER 44

PART IV

TEACHERS

Appointment, dismissal, retirement and employment of teachers

87 Appointment of teachers.

The function of appointing teachers for service in public schools and other educational establishments under the management of an education authority shall be in the education authority, and every appointment shall be during the pleasure of the authority.

^{F1} 87A Appointment of principal teachers.

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Textual Amendments

- F1** S. 87A repealed (5.2.2007 for specified purposes, 1.8.2007 in so far as not already in force) by [Scottish Schools \(Parental Involvement\) Act 2006 \(asp 8\)](#), s. 24(2), [sch.](#); S.S.I. 2007/31, art. 2(a)(b), schs. 1, 2

^{F2} 87B Selection of teachers.

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Textual Amendments

- F2** S. 87B repealed (5.2.2007 for specified purposes, 1.8.2007 in so far as not already in force) by [Scottish Schools \(Parental Involvement\) Act 2006 \(asp 8\)](#), s. 24(2), [sch.](#); S.S.I. 2007/31, art. 2(a)(b), schs. 1, 2

Status: Point in time view as at 05/02/2007.

Changes to legislation: Education (Scotland) Act 1980, Part IV is up to date with all changes known to be in force on or before 23 June 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)

88 F3

Textual Amendments
F3 S. 88 repealed by Self-Governing Schools etc. (Scotland) Act 1989 (c. 39, SIF 41:2), ss. 75, 82(2), Sch. 11

F489 Age of retirement of teachers.
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Textual Amendments
F4 S. 89 repealed (1.10.2006) by Employment Equality (Age) Regulations 2006 (S.I. 2006/1031), reg. 1(1), Sch. 9 (with regs. 44-46)

90 Employment of teachers.

- (1) The Secretary of State may in regulations under section 2 or 74(1) of this Act prescribe that only registered teachers shall be employed or continue to be employed as teachers by education authorities in the educational establishments to which the regulations apply, subject to such exceptions as may from time to time be so prescribed.
- (2) It is hereby declared that the power of the Secretary of State to make regulations under section 1(2) of the ^{M1}Education (Scotland) Act 1962, as originally enacted, and as re-enacted as section 2 by the ^{M2}Education (Scotland) Act 1969 shall be deemed always to have included power on and after 1st November 1965 to prescribe in such regulations that only registered teachers shall be employed or continue to be employed as teachers by education authorities in the educational establishments to which the regulations apply, subject to such exceptions as may from time to time be so prescribed.
- (3) For the avoidance of doubt, it is hereby declared that the power of the Secretary of State to make regulations under section 76(1) of the said Act of 1962 shall be deemed always to have included power on and after 1st November 1965 to prescribe in such regulations that only registered teachers shall be employed or continue to be employed as teachers by managers of educational establishments in the educational establishments to which the regulations apply, subject to such exceptions as may from time to time be so prescribed.
- (4) For the avoidance of doubt, it is hereby declared that in the Schools (Scotland) Code 1956, as amended by the Teachers (Education, Training and Registration) (Scotland) Regulations 1967, regulation 4(2) shall be construed as having always applied to teachers in employment on 1st April 1968, as well as to teachers taken into employment after that date.

Marginal Citations
M1 1962 c. 47.
M2 1969 c. 49.

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Pay and conditions of teaching staff employed in providing school education

F⁵91

Textual Amendments

F5 Ss. 91-97D repealed (23.3.2001) by 2000 asp 6, s. 55(1); S.S.I. 2001/102, art. 2

F⁶92

Textual Amendments

F6 Ss. 91-97D repealed (23.3.2001) by 2000 asp 6, s. 55(1); S.S.I. 2001/102, art. 2

F⁷93

Textual Amendments

F7 Ss. 91-97D repealed (23.3.2001) by 2000 asp 6, s. 55(1); S.S.I. 2001/102, art. 2

94— F⁸

96.

Textual Amendments

F8 Ss. 94–97 repealed by Self-Governing Schools etc. (Scotland) Act 1989 (c. 39, SIF 41:2), ss. 67(1), 82(2), Sch. 11 and ss. 94-97 expressed to be repealed (23.3.2001) by 2000 asp 6, s. 55(1); S.S.I. 2001/102, art. 2

Provisions common to the two committees

97 F⁹

Textual Amendments

F9 Ss. 94–97 repealed by Self-Governing Schools etc. (Scotland) Act 1989 (c. 39, SIF 41:2), ss. 67(1), 82(2), Sch. 11 and ss. 94-97 expressed to be repealed (23.3.2001) by 2000 asp 6, s. 55(1); S.S.I. 2001/102, art. 2

F¹⁰97A

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Textual Amendments

F10 Ss. 91-97D repealed (23.3.2001) by 2000 asp 6, s. 55(1); S.S.I. 2001/102, art. 2

F1197B

Textual Amendments

F11 Ss. 91-97D repealed (23.3.2001) by 2000 asp 6, s. 55(1); S.S.I. 2001/102, art. 2

F1297C

Textual Amendments

F12 Ss. 91-97D repealed (23.3.2001) by 2000 asp 6, s. 55(1); S.S.I. 2001/102, art. 2

F1397D

Textual Amendments

F13 Ss. 91-97D repealed (23.3.2001) by 2000 asp 6, s. 55(1); S.S.I. 2001/102, art. 2

Status:

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