



Education (Scotland) Act 1980

1980 CHAPTER 44

PART I

PROVISION OF EDUCATION BY EDUCATION AUTHORITIES

School education and further education

[^{F1} 14 Education for children unable to attend school etc.

- (1) If an education authority are satisfied that, by reason of—
- (a) any extraordinary circumstances (not being circumstances mentioned in paragraph (b), or subsection (2) or (3), below)—
 - (i) a pupil is unable; or
 - (ii) it would be unreasonable to expect a pupil, to attend a suitable educational establishment for the purpose of receiving education, they may;
 - (b) a pupil's prolonged ill-health [^{F2} or a pupil's being subject to any measures authorised by virtue of the Mental Health (Care and Treatment) (Scotland) Act 2003 (asp 13) or authorised, in consequence of the pupil's mental disorder, by virtue of the Criminal Procedure (Scotland) Act 1995 (c. 46)]—
 - (i) the pupil is unable; or
 - (ii) it would be unreasonable to expect the pupil, to attend such an establishment for that purpose, they shall, without undue delay after those circumstances become apparent to them, make special arrangements for the pupil to receive education elsewhere than at an educational establishment.
- (2) If an education authority have, under section 34(1) of this Act, granted a pupil exemption from the obligation to attend school, the exemption being to enable the pupil to give assistance at home in circumstances arising out of the illness or infirmity of a member of the pupil's family, they shall in so far as is practicable and without undue delay make such special arrangements as are mentioned in subsection (1) above.

Status: Point in time view as at 23/02/2009. This version of this provision has been superseded.

Changes to legislation: Education (Scotland) Act 1980, Section 14 is up to date with all changes known to be in force on or before 31 July 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)

- (3) If a pupil withdraws, excluded by the education authority (or with the consent of the authority in circumstances where he would have been so excluded but for his withdrawal), from a public school in their area they shall, without undue delay—
- (a) provide school education for him in a school managed by them;
 - (b) make arrangements for him to receive such education in any other school the managers of which are willing to receive him; or
 - (c) make such special arrangements as are mentioned in subsection (1) above.]

Textual Amendments

- F1** S. 14 substituted (13.10.2000) by 2000 asp 6, s. 40; S.S.I. 2000/361, art. 3(1)(2), **Sch. Pt. I**
- F2** Words in s. 14(1)(b) inserted (5.10.2005) by [Mental Health \(Care and Treatment\) \(Scotland\) Act 2003 \(asp 13\)](#), **ss. 277(2), 333(2)**; S.S.I. 2005/161, art. 3 (as substituted (1.7.2005) by S.S.I. 2005/375, art. 2 and as amended (22.9.2005) by S.S.I. 2005/459, art. 2)

Modifications etc. (not altering text)

- C1** S. 14 amended (13.10.2000) by 2000 asp 6, **ss. 3(2)(3), 5(1)**; S.S.I. 2000/361, art. 3(1)(2), **Sch. Pt. I**

Status:

Point in time view as at 23/02/2009. This version of this provision has been superseded.

Changes to legislation:

Education (Scotland) Act 1980, Section 14 is up to date with all changes known to be in force on or before 31 July 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.