



Education (Scotland) Act 1980

1980 CHAPTER 44

PART I

PROVISION OF EDUCATION BY EDUCATION AUTHORITIES

Management of denominational schools

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- (1) Any school transferred to an education authority under section 16(1) of this Act shall be held, maintained and managed by the education authority as a public school.
- (2) In any such school the education authority shall have the sole power of regulating the curriculum and of appointing teachers:

Provided that—

- (i) all teachers appointed to the staff of any such school by the education authority shall in every case be teachers who satisfy the Secretary of State as to qualification, and are approved as regards their religious belief and character by representatives of the church or denominational body in whose interest the school has been conducted;
 - (ii) subject to the provisions of section 9 of this Act, the time set apart for religious instruction or observance in any such school shall not be less than that so set apart according to the use and wont of the former management of the school.
- (3) For each such school the education authority shall appoint as supervisor of religious instruction, without remuneration, a person approved as regards religious belief and character as aforesaid, and the supervisor so appointed shall report to the education authority as to the efficiency of the religious instruction given in such school, and shall be entitled to enter the school at all times set apart for religious instruction or observance.
 - (4) In every such school the education authority shall give facilities for the holding of religious examinations.

Status: This is the original version (as it was originally enacted).

- (5) Subsections (1) to (4) above, so far as applicable, shall have effect in relation to any school provided by an education authority under section 17(2) of this Act as they have effect in relation to schools transferred to an education authority as mentioned in subsection (1) above, subject to the modification that the time set apart for religious instruction in any school so provided shall be not less than that so set apart in schools in the same education area which have been transferred as mentioned in subsection (1) above.
- (6) Any question which may arise as to the due fulfilment or observance of any provision or requirement of the foregoing provisions of this section shall be determined by the Secretary of State.
- (7) In this section, the reference to section 16(1) or 17(2) of this Act shall include a reference to the corresponding provision of the Act of 1918, the Act of 1946 and the Act of 1962.