



Education (Scotland) Act 1980

1980 CHAPTER 44

PART III

ADMINISTRATION AND FINANCE

Central administration

[^{F1}66C Preliminary notice

- (1) Where, on a reference under section 66B(2) of this Act, it appears to the Scottish Ministers that—
 - (a) the relevant person is failing or has failed to take satisfactory action to secure improvement in the matter mentioned in section 66B(2)(a) of this Act; and
 - (b) an enforcement direction is justified,they may serve a preliminary notice on the relevant person.
- (2) A preliminary notice is a notice which—
 - (a) informs the relevant person of the apparent failure mentioned in subsection (1)(a) above; and
 - (b) requires the relevant person to submit to the Scottish Ministers, within such time as is specified in the notice, a written response which—
 - (i) states that the person has not so failed and gives reasons supporting that statement; or
 - (ii) states that the person has so failed but gives reasons why an enforcement direction should not be given to that person.]

Textual Amendments

- F1** Ss. 66B-66D inserted (31.1.2005) by [School Education \(Ministerial Powers and Independent Schools\) \(Scotland\) Act 2004 \(asp 12\)](#), ss. 1, 9(2); S.S.I. 2005/10, art. 3(a)

Changes to legislation:

Education (Scotland) Act 1980, Section 66C is up to date with all changes known to be in force on or before 03 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.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 48A(5)(a)(I) words repealed by [2000 asp 6 Sch. 3](#)
- s. 53(3)(b)(i)-(iia) repealed by [2012 c. 5 Sch. 14 Pt. 1](#)
- s. 53(3)(b)(iii) words repealed by [2012 c. 5 Sch. 14 Pt. 1](#)
- s. 53ZA inserted by [2016 asp 8 s. 22\(3\)](#)
- s. 54A inserted by [2016 asp 8 s. 23](#)
- s. 98DA inserted by [2016 asp 8 s. 28\(2\)](#)
- s. 99(1A)(g)(ii) word substituted by [2020 asp 13 sch. 5 para. 8\(3\)](#)
- s. 99(1A)(h)(ii) word substituted by [2020 asp 13 sch. 5 para. 8\(3\)](#)