

SCHEDULES

SCHEDULE 4

MINOR AND CONSEQUENTIAL AMENDMENTS

Education (Scotland) Act 1980 (c. 44)

- 28 (1) The Education (Scotland) Act 1980 shall be amended in accordance with this paragraph.
- (2) In section 36(3) (referral to reporter of case of irregular school attendance), for the words from “may” to the end substitute “, where no requirement arises under section 53(1) of the Children (Scotland) Act 1995 to give information about the child to the Principal Reporter, may under this subsection provide the Principal Reporter with such information.”.
- (3) In section 44—
- (a) subsection (1) (referral by court to Principal Reporter of case involving offence against section 35) shall cease to have effect; and
 - (b) in subsection (2) (powers of court where no referral to Principal Reporter), for the words “subsection (1) above, make a direction” substitute “section 54(1) of the Children (Scotland) Act 1995, refer the matter to the Principal Reporter”.
- (4) In section 65B(6) (sending of report in relation to recorded child)—
- (a) paragraph (a) shall cease to have effect; and
 - (b) at the end add—

“and the local authority as education authority shall also ensure that the local authority for the purposes of Part II of the Children (Scotland) Act 1995 receive such a copy.”.
- (5) In section 135(1) (interpretation)—
- (a) in the definition of “parent”, for the words “the actual custody of” substitute “parental responsibilities (within the meaning of section 1(3) of the Children (Scotland) Act 1995) in relation to, or has care of”.
 - (b) the definition of “reporter of the appropriate local authority” shall cease to have effect;
 - (c) for the definition of “residential establishment” substitute—

““residential establishment” has the meaning given by paragraph (a) of the definition of that expression in section 93(1) of the Children (Scotland) Act 1995;”;
 - (d) for the definition of “supervision requirement” substitute—

““supervision requirement” has the meaning given by section 70(1) of the said Act of 1995;”.