



Education (Scotland) Act 1962

1962 CHAPTER 47 10 and 11 Eliz 2

PART VII

MISCELLANEOUS PROVISIONS

Employment

145 General definitions.

In this Act, unless the context otherwise requires, the following expressions have the meanings respectively assigned to them:—

(1)—(6) . . . ^{F1}

(7) “Act of 1937” means the ^{M1}Children and Young Persons (Scotland) Act 1937, except in Part IV and the Third Schedule;

(8)—(15C) . . . ^{F1}

(16) “Education authority” means [^{F2F3}a [council constituted under section 2 of the Local Government etc. (Scotland) Act 1994],] and “area” in relation to an education authority shall be construed accordingly;

(17) . . . ^{F1}

(18) “Employment” includes employment in any labour exercised by way of trade or for purposes of gain whether the gain be to the child or to the young person or to any other person, and a person who assists in a trade or occupation carried on for profit shall be deemed to be employed notwithstanding that he receives no reward for his labour; and “employ” shall be construed accordingly;

(19) “Employer” includes a parent who employs his children;

(19A)—(32) . . . ^{F1}

(33) “Parent” includes guardian and any person who is liable to maintain or has [^{F4}parental responsibilities (within the meaning of section 1(3) of the Children (Scotland) Act 1995) in relation to, or has the care of,] a child or young person;

(34)—(41B) . . . ^{F1}

(42) “School” means an institution for the provision of primary or secondary education or both primary and secondary education being a public school, a grant-

Changes to legislation: There are currently no known outstanding effects for the Education (Scotland) Act 1962, Section 145. (See end of Document for details)

aided school or an independent school, and includes a nursery school and a special school; and the expression “school” where used without qualification includes any such school or all such schools as the context may require, but does not include [^{F5}an establishment or residential establishment within the meaning of the ^{M2}Social Work (Scotland) Act 1968];
 (43)—(49) . . . ^{F1}

Textual Amendments

- F1** The whole Act except sections 136 and 137, subsections (7), (16), (18), (19), (33) and (42) of section 145, section 149(1) and (2) and section 148(2) and Schedule 9 so far as they relate to section 136 repealed by [Education \(Scotland\) Act 1980 \(c. 44, SIF 41:1\)](#), 136(3), Sch. 5
- F2** Words in s. 145(16) substituted (1.4.1996) by virtue of 1994 c. 39, s. 180(1), [Sch. 13](#), para. 58; S.I. 1996/323, [art. 4\(1\)\(c\)](#)
- F3** Words substituted by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), [Sch. 11 para. 12](#)
- F4** Words in s. 145(33) substituted (1.11.1996) by 1995 c. 36, s. 105(4), [Sch. 4](#), para. 11; S.I. 1996/2203, [art. 3\(3\)](#), Sch.
- F5** Words substituted by [Social Work \(Scotland\) Act 1968 \(c. 49\)](#), [Sch. 8 para. 67\(b\)](#)
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Marginal Citations

- M1** 1937 c. 37.
- M2** 1968 c. 49.

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