

**1982 No. 56 (S.8)****EDUCATION, SCOTLAND****The Schools General (Scotland) (Amendment)  
Regulations 1982**

<i>Made</i> - - - - -	20th January 1982
<i>Laid before Parliament</i>	25th January 1982
<i>Coming into Operation</i>	15th February 1982

In exercise of the powers conferred on me by section 2 of the Education (Scotland) Act 1980(a) and of all other powers enabling me in that behalf, I hereby make the following regulations:—

*Citation and commencement*

1. These regulations may be cited as the Schools General (Scotland) (Amendment) Regulations 1982 and shall come into operation on 15th February 1982.

*Interpretation*

2. In these regulations, a reference to the principal regulations is a reference to the Schools General (Scotland) Regulations 1975(b).

*Amendment of principal regulations*

3. For regulation 4 of the principal regulations there shall be substituted the following regulation:—

“4. In discharging their functions under the Education (Scotland) Act 1980, an education authority shall not exclude a pupil from a school under their management to which he has been admitted, except where they are of the opinion that the parent of the pupil refuses or fails to comply, or to allow the pupil to comply, with the rules, regulations, or disciplinary requirements of the school.”

4. Regulation 12(1) of the principal regulations is hereby revoked.

*George Younger,*  
One of Her Majesty's Principal  
Secretaries of State.

New St Andrew's House,  
Edinburgh.

20th January 1982

## EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These Regulations substitute new provision for Regulation 4 and revoke Regulation 12(1) of the Schools General (Scotland) Regulations 1975. *Regulation 4* of the 1975 regulations made provision with regard to admission to and exclusion from school of pupils and specified three circumstances—in paragraphs (a), (b) and (c)—in which an education authority might refuse a pupil admission to or exclude a pupil from a school under their management. Following upon the coming into operation on 15th February 1982 of section 1 of the Education (Scotland) Act 1981(c.58), which inserts section 28A(3) into the Education (Scotland) Act 1980, and the coming into operation on 1st December 1981 of section 8 of the 1981 Act, the terms of paragraphs (a) and (c) of that Regulation are no longer appropriate. The substance of paragraph (b) is repeated in modified terms in substituted Regulation 4. *Regulation 12(1)*, which restricted the types of pupils who may be admitted to special schools and classes, is no longer consistent with current educational practice in Scotland.

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