
STATUTORY INSTRUMENTS

1989 No. 1739 (S.130)

EDUCATION, SCOTLAND

**The Education (Publication and Consultation
Etc.) (Scotland) Amendment Regulations 1989**

Made - - - - 15th September 1989
Laid before Parliament 4th October 1989
Coming into force - - 1st November 1989

The Secretary of State, in exercise of the powers conferred on him by section 22A of the Education (Scotland) Act 1980((1)) and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Education (Publication and Consultation Etc.) (Scotland) Amendment Regulations 1989 and shall come into force on 1st November 1989.

(2) In these Regulations “the principal Regulations” means the Education (Publication and Consultation Etc.) (Scotland) Regulations 1981((2)).

Amendment of the principal Regulations

2. In regulation 2(1) of the principal Regulations for the definition of “school council” there shall be substituted the following definition:—

““School Board” has the meaning given in section 1 of the School Boards (Scotland) Act 1988((3));” .

3. In regulation 6 of the principal Regulations—

- (a) for the words “school council”, in both instances where they occur, there shall be substituted the words “School Board” ; and
- (b) for the words “clerk of the council” there shall be substituted the words “clerk of the School Board or, as the case may be, college council” .

4. In Schedule 1 to the principal Regulations—

(1) 1980 c. 44; section 22A was inserted by section 6 of the Education (Scotland) Act 1981 (c. 58)
(2) S.I.1981/1558, as amended by S.I. 1987/2076 and 1988/107
(3) 1988 c. 47

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (a) for the words “school council responsible”, in all instances where they occur in the entries in column 2 opposite paragraphs (a) to (t) inclusive of column 1, there shall be substituted the words “School Board established” ; and
- (b) before each entry in column 2, opposite paragraphs (w) and (x) of column 1, there shall be inserted the number “i.” ; and after each of said entries there shall be inserted the entry:—
 - “(ii) the School Board established for any school affected by “the proposal.”” .

St Andrew’s House,
Edinburgh
15th September 1989

Ian Lang
Minister of State, Scottish Office

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Education (Publication and Consultation Etc.) (Scotland) Regulations 1981. They take account of the fact that by virtue of the School Boards (Scotland) Act 1988, which sets up School Boards, school councils established under section 125 of the Local Government (Scotland) Act 1973 (c. 65) are abolished with effect from 1st November 1989 (being the day after the final date prescribed for the holding of elections to the first School Boards to be established).

The 1981 Regulations require an education authority to consult various interested bodies, including the relevant school council, when making proposals of a prescribed kind affecting a school. These Regulations amend the 1981 Regulations so as to substitute references to a School Board for those made to a school council, and otherwise insert references to a School Board, making such a Board a body to be consulted in respect of prescribed proposals.