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SCOTTISH STATUTORY INSTRUMENTS

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**2015 No. 318**

**EDUCATION**

**The Education (Assisted Places)  
(Scotland) Revocation Regulations 2015**

*Made* - - - - *1st September 2015*  
*Laid before the Scottish*  
*Parliament* - - - - *3rd September 2015*  
*Coming into force* - - *8th October 2015*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 75A(9) and (10) and 75B of the Education (Scotland) Act 1980<sup>(1)</sup> and section 2(2) of the European Communities Act 1972<sup>(2)</sup> and all other powers enabling them to do so.

In accordance with section 75A(11) of that Act, the Scottish Ministers consulted such bodies as appear to the Scottish Ministers to be appropriate and to be representative of participating schools.

**Citation and commencement**

1. These Regulations may be cited as the Education (Assisted Places) (Scotland) Revocation Regulations 2015 and come into force on 8th October 2015.

**Revocations**

2. The Regulations specified in column 1 of the table in the Schedule are revoked to the extent set out in the corresponding entry in column 3 of that table.

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(1) 1980 c.44. Section 75A was inserted by section 5 of the Education (Scotland) Act 1981 (c.58). Section 75A was relevantly amended by the Education (Schools) Act 1997 (c.59), sections 5 and 6 and the Schedule, and by the School Standards and Framework Act 1998 (c.31), sections 130 and 140 and Schedule 31. Section 135(1) contains a definition of “prescribed” relevant to the exercise of the statutory powers under which these Regulations are made. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998.

(2) 1972 c.68. Section 2(2) was amended by the Scotland Act 1998 (c.46) (“the 1998 Act”) Schedule 8, paragraph 15(3) (which was amended by section 27(4) of the Legislative and Regulatory Reform Act 2006 (c.51) (“the 2006 Act”). Section 2(2) was also amended by section 27(1)(a) of the 2006 Act and by the European Union (Amendment) Act 2008 (c.7), Schedule, Part 1. The functions conferred upon the Minister of the Crown under section 2(2), insofar as within devolved competence, were transferred to the Scottish Ministers by virtue of section 53 of the 1998 Act. The partial revocation of S.S.I. 2013/177 is made in exercise of the powers in section 2(2).

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

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St Andrew's House, Edinburgh  
1st September 2015

*ALASDAIR ALLAN*  
Authorised to sign by the Scottish Ministers

## SCHEDULE

Regulation 2

## REVOCATIONS

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
The Education (Assisted Places) (Scotland) Regulations 2001	<a href="#">S.S.I. 2001/222</a>	The whole instrument.
The Education (Assisted Places) (Scotland) Amendment Regulations 2002	<a href="#">S.S.I. 2002/249</a>	The whole instrument.
The Education (Assisted Places) (Scotland) Amendment Regulations 2003	<a href="#">S.S.I. 2003/281</a>	The whole instrument.
The Education (Assisted Places) (Scotland) Amendment Regulations 2004	<a href="#">S.S.I. 2004/239</a>	The whole instrument.
The Education (Assisted Places) (Scotland) Amendment Regulations 2005	<a href="#">S.S.I. 2005/270</a>	The whole instrument.
The Education (Assisted Places) (Scotland) Amendment Regulations 2006	<a href="#">S.S.I. 2006/317</a>	The whole instrument.
The Education (Assisted Places) (Scotland) Amendment Regulations 2007	<a href="#">S.S.I. 2007/114</a>	The whole instrument.
The Education (Assisted Places) (Scotland) Amendment Regulations 2008	<a href="#">S.S.I. 2008/213</a>	The whole instrument.
The European Union (Amendments in respect of the Accession of Croatia) (Scotland) Regulations 2013	<a href="#">S.S.I. 2013/177</a> amended by <a href="#">S.S.I. 2014/364</a>	Schedule 1, paragraph 10.

**EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations revoke the Education (Assisted Places) (Scotland) Regulations 2001 (“the principal Regulations”) and amending instruments. The principal Regulations relate to the scheme for assisted places at independent schools which was required to be established under section 75A of the Education (Scotland) Act 1980 (“the 1980 Act”). Section 5(1) of the Education (Schools) Act 1997 amended section 75A of the 1980 Act with the effect that the assisted places scheme could only be operated in relation to pupils admitted to a place before the 1997-1998 school term until those pupils completed their primary education or, at the Secretary of State’s discretion, until the completion of their secondary education. As such, the scheme is no longer in operation in relation to any particular pupil.