

2011 No. 103

EDUCATION

**The Additional Support Needs Tribunals for Scotland
(Appointment of President, Conveners and Members and
Disqualification) Amendment Regulations 2011**

Made - - - - - *10th February 2011*

Laid before the Scottish Parliament *15th February 2011*

Coming into force - - - *18th March 2011*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by paragraph 3(1)(b) of schedule 1 to the Education (Additional Support for Learning) (Scotland) Act 2004(a) and all other powers enabling them to do so.

Citation and commencement

1. These Regulations may be cited as the Additional Support Needs Tribunals for Scotland (Appointment of President, Conveners and Members and Disqualification) Amendment Regulations 2011 and come into force on 18th March 2011.

Amendment of the Additional Support Needs Tribunal for Scotland (Appointment of President, Conveners and Members and Disqualification) Regulations 2005

2. In regulation 4 of the Additional Support Needs Tribunals for Scotland (Appointment of President, Conveners and Members and Disqualification) Regulations 2005(b), omit “additional support needs within the meaning of the Act”, and insert—

“—

- (a) additional support needs within the meaning of section 1(1) of the Act; or
- (b) a disability within the meaning of section 6 of the Equality Act 2010(c).”.

ADAM INGRAM

Authorised to sign by the Scottish Ministers

St Andrew’s House,
Edinburgh
10th February 2011

(a) 2004 asp 4, as amended by the Education (Additional Support for Learning) (Scotland) Act 2009 (asp 7).
(b) S.S.I. 2005/155.
(c) 2010 c.5.

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Additional Support Needs Tribunals for Scotland were constituted under section 17 of the Education (Additional Support for Learning) (Scotland) Act 2004 (“the 2004 Act”) to exercise functions conferred upon it by that Act.

The Equality Act 2010 (“the 2010 Act”), Schedule 17, paragraph 12, conferred an extended jurisdiction on the Additional Support Needs Tribunals for Scotland to hear claims concerning a person’s disability relating to admission or attendance at school under Chapter 1 of Part 6 of the 2010 Act.

Regulation 4 of the Additional Support Needs Tribunals for Scotland (Appointment of President, Conveners and Members and Disqualification) Regulations 2005 prescribe the qualifications, training and experience required for the appointment to the panel of individuals who may act as members of an Additional Support Needs Tribunal for Scotland in relation to its functions under the 2004 Act. Regulation 2 of these Regulations amend those Regulations to prescribe that persons with knowledge and experience of children or young persons with a disability within the meaning of section 6 of the 2010 Act may also be appointed to the panel.

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