

ACCOMPANYING DOCUMENTS

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Education (School Meals) (Scotland) Bill

[AS INTRODUCED]

An Act of the Scottish Parliament to confer powers on the Scottish Ministers to prescribe circumstances in which education authorities are obliged to ensure that provision is made for pupils to receive milk, meals or other refreshments free of charge; and to provide that the first exercise of those powers has retrospective effect.

5 **1 Duty to provide free school meals**

(1) Subsection (3) of section 53 of the Education (Scotland) Act 1980 (c.44) (provision of milk, meals or refreshments for certain pupils free of charge) is amended as follows.

(2) In paragraph (a) of that subsection—

(a) the word “or” immediately following sub-paragraph (ii) is repealed; and

10 (b) after sub-paragraph (iii), insert “or

(iv) any other benefit or allowance or any tax credit or element of such a tax credit (within the meaning of the Tax Credits Act 2002 (c.21)) that the Scottish Ministers may by regulations prescribe, in such circumstances as may be so prescribed;”.

15 (3) In paragraph (b) of that subsection, for the words “income support or an income-based jobseeker’s allowance” substitute—

“(i) income support;

(ii) an income-based jobseeker’s allowance; or

20 (iii) any other benefit or allowance or any tax credit or element of such a tax credit (within the meaning of the Tax Credits Act 2002 (c.21)) that the Scottish Ministers may by regulations prescribe, in such circumstances as may be so prescribed”.

25 (4) The first regulations made under each of paragraphs (a)(iv) and (b)(iii) of subsection (3) of section 53 of that Act (as amended by subsections (2) and (3) above) shall be deemed to have come into force on 6 April 2003; and, for the purposes of those regulations, the amendments made by subsections (2) and (3) above shall be deemed to have had effect on and after that date.

2 Short title

This Act may be cited as the Education (School Meals) (Scotland) Act 2003.

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