SCOTTISH STATUTORY INSTRUMENTS

# 2025 No. 351 (C. 25)

# EDUCATION

## The Education (Scotland) Act 2025 (Commencement No. 1 and Transitory Provision) Regulations 2025

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| *Made - - - -* | *13th November 2025* |
| *Laid before the Scottish Parliament* | *17th November 2025* |
| *Coming into force - -* | *1st December 2025* |

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 66(2) and (4) of the Education (Scotland) Act 2025(**a**) and all other powers enabling them to do so.

**Citation, commencement and interpretation**

**1.**—(1) These Regulations may be cited as the Education (Scotland) Act 2025 (Commencement No. 1 and Transitory Provision) Regulations 2025 and come into force on 1 December 2025.

(2) In these Regulations "the Act" means the Education (Scotland) Act 2025.

**Appointed day**

**2.**—(1) 1 December 2025 is the day appointed for the coming into force of the provisions of the Act specified in column 1 of the table in the schedule (the subject matter of which is described in the corresponding entry in column 2 of that table).

(2) Where a purpose is specified in column 3 of that table, the corresponding provision specified in column 1 comes into force in accordance with paragraph (1) only for that purpose.

**Transitory provision**

**3.**—(1) In paragraph 3(10) of schedule 1 of the Act (Qualifications Scotland: Part 2 (membership)), "relevant qualification" is to be read in accordance with paragraph (2) and "relevant teaching or training" is to be read accordingly.

(2) In paragraph (1)—

"relevant qualification" means—

(a) a Qualifications Scotland qualification,

(b) a qualification devised or awarded by the Scottish Qualifications Authority, or

(c) a qualification accredited by Qualifications Scotland or the Scottish Qualifications Authority.

(**a**) 2025 asp 11.

(3) Paragraph (1) has effect during the period beginning on 1 December 2025 and ending on 30 November 2029.

*NATALIE DON-INNES*
Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh
13th November 2025

# SCHEDULE

Regulation 2

## Provisions of the Act coming into force on 1 December 2025

| Column 1 (provision of the Act) | Column 2 (subject matter) | Column 3 (purpose) |
|---|---|---|
| Section 1(1) | Qualifications Scotland | |
| Section 1(2) and 1(3) | Qualifications Scotland | For the purpose of bringing into force schedule 1, Parts 1 and 2, and Part 4 paragraphs 11(8), 12(8) and 17 |
| Section 59 | Transfer of staff, property etc. to Qualifications Scotland | For the purpose of bringing into force schedule 3, paragraph 5 |
| Section 62 | Consequential modifications | For the purpose of bringing into force schedule 4, Part 1, Chapter 1, paragraphs 1(1) 1(2)(a), 4(1), 4(2)(a), 8(1) and 8(2)(a) |
| Schedule 1, Parts 1 and 2, and Part 4 paragraphs 11(8), 12(8) and 17 | Qualifications Scotland | |
| Schedule 3, paragraph 5 | Transfer of staff, property etc. to Qualifications Scotland | |
| Schedule 4, Part 1, Chapter 1 paragraphs 1(1), 1(2)(a), 4(1), 4(2)(a), 8(1) and 8(2)(a) | Consequential modifications | |

## EXPLANATORY NOTE

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

These Regulations bring into force various provisions of the Education (Scotland) Act 2025 ("the Act") on 1 December 2025.

Regulation 2(1) brings the provisions listed in the table in the schedule into force. Regulation 2(2) provides that where a purpose is specified in column 3 of that table, the associated provision comes into force only for that purpose.

Regulation 3 makes transitory provision relating to paragraph 3(10) of schedule 1 of the Act, which is brought into force by these Regulations. Regulation 3(1) provides that "relevant qualification" in that paragraph of the Act is to be read in accordance with regulation 3(2), and "relevant teaching or training" is to be read accordingly. That paragraph of the Act provides that a "relevant qualification" means (a) a Qualifications Scotland qualification, or (b) a qualification accredited by Qualifications Scotland. Regulation 3(2) provides that it also includes a qualification devised or awarded by the Scottish Qualifications Authority, and a Qualification accredited by the Scottish Qualifications Authority. Regulation 3(3) provides that the transitory provision has effect during the period beginning on 1 December 2025 and ending on 30 November 2029.

The Bill for the Act received Royal Assent on 6 August 2025. Sections 63 to 67 came into force the following day.

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