

Draft Regulations laid before the Scottish Parliament under section 20(6)(a) of the Schools (Consultation) (Scotland) Act 2010, for approval by resolution of the Scottish Parliament.

DRAFT SCOTTISH STATUTORY INSTRUMENTS

2017 No.

EDUCATION

**The Schools (Consultation) (Scotland) Act
2010 (Modification) Regulations 2017**

Made - - - - 2017
Coming into force - - 31st March 2017

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 20(2) of the Schools (Consultation) (Scotland) Act 2010⁽¹⁾ and all other powers enabling them to do so.

In accordance with section 20(6)(a) of that Act, a draft of these Regulations has been laid before and approved by resolution of the Scottish Parliament.

Citation and commencement

1. These Regulations may be cited as the Schools (Consultation) (Scotland) Act 2010 (Modification) Regulations 2017 and come into force on 31st March 2017.

Modification of schedule 1 of the Schools (Consultation) (Scotland) Act 2010

2.—(1) Schedule 1 of the Schools (Consultation) (Scotland) Act 2010 (relevant proposals) is amended in accordance with this regulation.

(2) In paragraph 2—

- (a) sub-paragraph (a), after “school” insert “(apart from a nursery school)”;
(b) in sub-paragraph (b), after “school” insert “(apart from a nursery class)”.

(3) In paragraph 3, for the words from “(in” to the end of the paragraph, substitute—

“—

- (a) a school (apart from a nursery school); or
(b) part of a school (apart from a nursery class)”.

Draft Legislation: This is a draft item of legislation. This draft has since been made as a Scottish Statutory Instrument: *The Schools (Consultation) (Scotland) Act 2010 (Modification) Regulations 2017 No. 65*

St Andrew's House,
Edinburgh
Date

Name
Authorised to sign by Scottish Ministers

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations modify schedule 1 of the Schools (Consultation) (Scotland) Act 2010 (“the 2010 Act”). Section 1 of the 2010 Act imposes various requirements on education authorities where they have formulated a “relevant proposal” and schedule 1 specifies the proposals that are relevant proposals for the purposes of the 2010 Act.

Regulation 2(2) modifies paragraph 2(a) and (b) of schedule 1 (establishment) and regulation 2(3) modifies paragraph 3 of schedule 1 (relocation), to exclude proposals to establish a new nursery school or new nursery class and proposals to relocate a nursery school or nursery class from being relevant proposals for the purposes of the 2010 Act.