

These notes relate to the Schools (Consultation) (Scotland) Act 2010 (asp 2) which received Royal Assent on 5 January 2010

SCHOOLS (CONSULTATION) (SCOTLAND) ACT 2010

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Call-in by the Scottish Ministers

Section 17 – Grounds for call-in etc.

59. [Section 17\(2\)](#) prescribes the grounds on which the Scottish Ministers may call-in an authority's decision to implement a closure proposal.
60. [Section 17\(2\)\(a\)](#) and (b) set out the grounds for Ministerial call-in. These are where it appears to the Scottish Ministers that the authority may have failed: in a significant regard to comply with the requirements set out in the Act insofar as they are relevant to the closure proposal; or to take proper account of a material consideration relevant to its decision to implement the proposal. The focus is on deficiencies, flaws or failures in the consultation and/or decision-making process and procedures.