
Changes to legislation: There are currently no known outstanding effects for the Schools (Consultation) (Scotland) Act 2010, Paragraph 3. (See end of Document for details)

SCHEDULE 3 ANCILLARY PROVISION

Transitional, transitory and saving provision

- 3 (1) Sub-paragraphs (2) to (5) apply to any relevant proposal if—
- (a) a consultation on the proposal has been initiated (and is in progress), or has been carried out, by an education authority—
 - (i) under the 1981 Regulations and section 22A of the 1980 Act, and
 - (ii) before commencement of this paragraph, and
 - (b) no final decision to implement the proposal has been made before commencement of this paragraph.
- (2) The education authority may not proceed with the proposal unless the consultation consists of (or includes) the matters provided for in sections 1 to 10 so far as relevant in relation to the proposal.
- (3) Section 11 applies in relation to the proposal.
- (4) In the case of a closure proposal as respects a rural school—
- (a) where applicable—
 - (i) if the proposal paper has not yet been published, the paper must (whenever published) additionally explain the extent to which the education authority has, up to that stage, taken account of the matters provided for in section 12(2) to (5),
 - (ii) if the consultation report has not yet been published, the report must (whenever published) additionally explain the extent to which the education authority has, at any (or any other) stage, taken account of the matters provided for in section 12(2) to (5),
 - (b) at any time when the education authority is deciding whether to implement the proposal, section 12(2) to (5) applies in relation to the proposal.
- (5) In the case of any closure proposal, if at any time the education authority decides to implement the proposal, sections 15 to 17 apply in relation to the proposal.

Commencement Information

II Sch. 3 para. 3 in force at 5.4.2010 by [S.S.I. 2010/70](#), [art. 2](#)

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