

These notes relate to the Children and Young People (Scotland) Act 2014 (asp 8) which received Royal Assent on 27 March 2014

CHILDREN AND YOUNG PEOPLE (SCOTLAND) ACT 2014

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 5 – Child’s plan

Section 44 – Listed Authorities

107. **Section 44(1)** provides that the persons listed in schedule 3 are “listed authorities” for the purposes of Part 5 (subject to subsections (3) and (4)). Subsection (2) allows the Scottish Ministers to modify schedule 3 by order. Subsection (3) provides that the Scottish Ministers are not a listed authority for the purposes of sections 41 and 42. Subsection (4) provides that the Commissioner for Children and Young People in Scotland and a body which is a “post-16 education body” for the purposes of the Further and Higher Education (Scotland) Act 2005 are not listed authorities for the purposes of section 42 – they are therefore not subject to the duty to comply with directions issued under that section. Subsection (5) provides that an order under subsection (2) which adds a person to schedule 3 may modify this section so as to provide that the person is not a listed authority for the purposes of section 42 – this similarly allows the duty to comply with directions to be disapplied if required.