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SCOTTISH STATUTORY INSTRUMENTS

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**2017 No. 65**

**EDUCATION**

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

*Made* - - - - *6th March 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<sup>(1)</sup> 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)”.

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**Status:** *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

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St Andrew's House, Edinburgh  
6th March 2017

*MARK McDONALD*  
Authorised to sign by Scottish Ministers

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## 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.