

SCHEDULE 3
ANCILLARY PROVISION

Transitional, transitory and saving provision

- 4 (1) Sub-paragraph (2) applies to a relevant proposal if—
- (a) a consultation on the proposal has been carried out by an education authority—
 - (i) under the 1981 Regulations and section 22A of the 1980 Act, and
 - (ii) before the commencement of this paragraph, and
 - (b) the final decision to implement the proposal has been made before commencement of this paragraph.
- (2) The education authority may proceed further with the proposal except in the circumstances mentioned in sub-paragraph (3) or (4).
- (3) The circumstances are where the authority modifies the proposal in a material way.
- (4) The circumstances are where—
- (a) in accordance with section 22B of the 1980 Act, the proposal requires the consent of the Scottish Ministers, and
 - (b) that consent—
 - (i) has not yet been given, or
 - (ii) is, or has been, refused.