



Schools (Consultation) (Scotland) Act 2010

2010 asp 2

Call-in by the Scottish Ministers

17 Grounds for call-in etc.

- (1) The Scottish Ministers may issue a call-in notice only if subsection (2) applies.
 - (2) This subsection applies where it appears to the Scottish Ministers that the education authority may have failed—
 - (a) in a significant regard to comply with the requirements imposed on it by (or under) this Act so far as they are relevant in relation to the closure proposal, or
 - (b) to take proper account of a material consideration relevant to its decision to implement the proposal.
 - (3) The education authority must provide the Scottish Ministers with such information in connection with a closure proposal as they may reasonably require of it for the purposes of their consideration of—
 - (a) whether to issue a call-in notice, ^{F1} ...
 - ^{F2}(b)
- [^{F3}(3A) HMIE must provide the Scottish Ministers with such advice as to the educational aspects of a closure proposal as the Scottish Ministers may reasonably require of HMIE for the purpose of the Scottish Ministers' consideration of whether to issue a call-in notice.]
- (4) In this Act, a “call-in notice” is one issuable by the Scottish Ministers under section 15(3).

Textual Amendments

- F1** Word in s. 17(3) repealed (30.3.2015) by [Children and Young People \(Scotland\) Act 2014 \(asp 8\)](#), ss. **81(3)(a)(i)**, 102(3); S.S.I. 2015/104, art. 2 (with art. 3)
- F2** S. 17(3)(b) repealed (30.3.2015) by [Children and Young People \(Scotland\) Act 2014 \(asp 8\)](#), ss. **81(3)(a)(ii)**, 102(3); S.S.I. 2015/104, art. 2 (with art. 3)

Changes to legislation: *There are currently no known outstanding effects for the Schools (Consultation) (Scotland) Act 2010, Section 17. (See end of Document for details)*

F3 S. 17(3A) inserted (1.8.2014) by Children and Young People (Scotland) Act 2014 (asp 8), **ss. 81(3)(b), 102(3)**; S.S.I. 2014/165, art. 2, Sch.

Commencement Information

I1 S. 17 in force at 5.4.2010 by S.S.I. 2010/70, **art. 2**

Changes to legislation:

There are currently no known outstanding effects for the Schools (Consultation) (Scotland) Act 2010, Section 17.