

2005 No. 10 (C.1)

EDUCATION

**The School Education (Ministerial Powers and Independent
Schools) (Scotland) Act 2004 (Commencement No. 1)
Order 2005**

Made - - - -

12th January 2005

The Scottish Ministers, in exercise of the power conferred by section 9(2) of the School Education (Ministerial Powers and Independent Schools) (Scotland) Act 2004(a), hereby make the following Order:

Citation

1. This Order may be cited as the School Education (Ministerial Powers and Independent Schools) (Scotland) Act 2004 (Commencement No. 1) Order 2005.

Interpretation

2. In this Order—

“the Act” means the School Education (Ministerial Powers and Independent Schools) (Scotland) Act 2004.

Commencement of Parts 1 and 3 of, and Schedule 1 to, the Act

3. The following provisions of the Act shall come into force on 31st January 2005—

- (a) Part 1;
- (b) section 8(1) of Part 3, but only insofar as it relates to the provisions of Schedule 1 mentioned in paragraph (c) below; and
- (c) paragraphs 1(8)(b), 1(8)(c) and paragraph 2 of Schedule 1.

PETER J PEACOCK

A member of the Scottish Executive

St Andrew's House,
Edinburgh
12th January 2005

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force Part 1 of the Act together with certain minor and consequential amendments relating to the provisions of Part 1, contained within Schedule 1 of the Act.

Part 1 of the Act provides a new power for the Scottish Ministers to direct managers of grant-aided schools and education authorities to take specific action to secure improvement as identified after inspection by Her Majesty's Inspectorate of Education. It sets out the circumstances in which the Scottish Ministers are allowed to use this power, the procedure which requires to be followed, and the purpose and nature of the enforcement direction which may be given.

£3.00

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under the authority and superintendence of Carol Tullo, the Queen's Printer for Scotland
350 01/05 19593

