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SCOTTISH STATUTORY INSTRUMENTS

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**2010 No. 149**

**The Additional Support for Learning (Co-ordinated Support Plan) (Scotland) Amendment Regulations 2010**

**Insertion of regulation 5A**

4. After regulation 5 (time limit for the review of the plan) insert—

**“Time limit for the early review of the plan**

**5A.—**(1) Subject to paragraphs (2) and (3), where an education authority receive a request in terms of section 10(4) of the Act, it must issue its proposal under section 11(2)(a) or its decision under section 28(2) within 4 weeks of the date of receipt of the request.

(2) Where the circumstances provided for in paragraph (1)(a) of regulation 7 apply, an education authority must on becoming aware that the period of 4 weeks cannot be complied with—

- (a) establish a date by which it must issue its proposal or its decision to the person who made the request; and
- (b) inform that person of that date.

(3) The date established under paragraph (2) above must not exceed the period of 4 weeks by longer than is reasonably necessary in the circumstances and in any event must not be more than 12 weeks from the date of receipt of the request.

(4) A failure by an education authority to meet either the timescale referred to in paragraph (1) or the date established under paragraph (2)(a) is to be treated for the purposes of section 18 of the Act as a decision of the authority to refuse a request referred to in section 10(4) of the Act.”