

2015 No. 104 (C. 20)

CHILDREN AND YOUNG PERSONS

EDUCATION

**The Children and Young People (Scotland) Act 2014
(Commencement No. 8 and Saving Provision) Order 2015**

| | |
|--|------------------------|
| <i>Made</i> - - - - | <i>5th March 2015</i> |
| <i>Laid before the Scottish Parliament</i> | <i>6th March 2015</i> |
| <i>Coming into force</i> - - | <i>30th March 2015</i> |

The Scottish Ministers make the following Order in exercise of the powers conferred by section 102(3) and (4) of the Children and Young People (Scotland) Act 2014^(a).

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Children and Young People (Scotland) Act 2014 (Commencement No. 8 and Saving Provision) Order 2015 and comes into force on 30th March 2015.

(2) In this Order—

“the 2014 Act” means the Children and Young People (Scotland) Act 2014;

“the 2010 Act” means the Schools (Consultation) (Scotland) Act 2010^(b); and

“closure proposal” has the meaning given in section 2(1)(b) of the 2010 Act.

Appointed day

2. 30th March 2015 is the day appointed for the coming into force of section 81(1)(d), (2), (3)(a), (4), (6), (8) and (11)(b) of the 2014 Act (call-in of closure proposals) (in so far as not already in force).

(a) 2014 asp 8.

(b) 2010 asp 2.

Saving provision

3. Despite article 2, section 81(1)(d), (2), (3)(a) and (4) of the 2014 Act is of no effect in relation to closure proposals called in under section 17 of the 2010 Act before 30th March 2015.

St Andrew's House,
Edinburgh
5th March 2015

ALASDAIR ALLAN
Authorised to sign by the Scottish Ministers

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force the following provisions of the Children and Young People (Scotland) Act 2014 (“the 2014 Act”) on 30th March 2015: section 81(1)(d), (2), (3)(a), (4), (6), (8) and (11)(b) (call-in of closure proposals) (in so far as not already in force).

Article 3 provides that despite the commencement of section 81(1)(d), (2), (3)(a) and (4) of the 2014 Act, it is of no effect in relation to a closure proposal called in by the Scottish Ministers under section 17 of the Schools (Consultation) (Scotland) Act 2010, prior to 30th March 2015.

This therefore means that any decision taken to implement a closure proposal which has been called in by the Scottish Ministers prior to 30th March 2015, but not yet determined by that date, will be determined by the Scottish Ministers under section 16 of the 2010 Act.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The Bill for the 2014 Act received Royal Assent on 27th March 2014. Section 102(1) brought Part 18 of the 2014 Act into force on the day after Royal Assent (apart from sections 96, 97 and 98). Section 102(2) brought subsections (2) to (5) of section 47 (duty to secure provision of early learning and childcare) into force on the day after Royal Assent. The provisions of the 2014 Act commenced by earlier commencement orders are detailed in the table below.

| <i>Provisions</i> | <i>Date of Commencement</i> | <i>S.S.I. No.</i> |
|---|-----------------------------|-------------------|
| Section 1 | 15th June 2015 | 2015/61 |
| Section 4 | 15th June 2015 | 2015/61 |
| Section 46 | 28th June 2014 | 2014/131 |
| Section 47(1) and (6) | 1st August 2014 | 2014/131 |
| Section 48 | 1st August 2014 | 2014/131 |
| Section 49 | 1st August 2014 | 2014/131 |
| Section 50 | 1st August 2014 | 2014/131 |
| Section 51 | 1st August 2014 | 2014/131 |
| Section 52 | 1st August 2014 | 2014/131 |
| Section 53 | 1st August 2014 | 2014/131 |
| Section 54 | 1st August 2014 | 2014/131 |
| Section 55 | 1st August 2014 | 2014/131 |
| Section 56 | 1st April 2015 | 2015/61 |
| Section 57 (partially) | 1st August 2014 | 2014/131 |
| Section 57 (so far as not already in force) | 1st April 2015 | 2015/61 |
| Section 58 | 1st April 2015 | 2015/61 |
| Section 59 | 1st April 2015 | 2015/61 |
| Section 60 | 1st April 2015 | 2015/61 |
| Section 61 | 1st April 2015 | 2015/61 |
| Section 62 | 1st April 2015 | 2015/61 |
| Section 63 | 1st April 2015 | 2015/61 |
| Section 64 | 1st April 2015 | 2015/61 |
| Section 65 | 1st April 2015 | 2015/61 |
| Section 66 (partially) | 1st August 2014 | 2014/131 |
| Section 66 (so far as not already in force) | 1st April 2015 | 2015/61 |
| Section 67(1) (partially) | 1st August 2014 | 2014/131 |

| <i>Provisions</i> | <i>Date of Commencement</i> | <i>S.S.I. No.</i> |
|--|-----------------------------|-------------------|
| Section 67(1) (so far as not already in force) | 1st April 2015 | 2015/61 |
| Section 67(2) | 1st April 2015 | 2015/61 |
| Section 68 (partially) | 1st August 2014 | 2014/131 |
| Section 69 | 1st August 2014 | 2014/131 |
| Section 70 | 1st August 2014 | 2014/131 |
| Section 71 (partially) | 1st August 2014 | 2014/131 |
| Section 72 | 1st August 2014 | 2014/131 |
| Section 73 (partially) | 1st August 2014 | 2014/131 |
| Section 74 | 1st August 2014 | 2014/131 |
| Section 76 | 1st August 2014 | 2014/165 |
| Section 77 | 1st August 2014 | 2014/165 |
| Section 78 | 1st August 2014 | 2014/165 |
| Section 79 | 1st August 2014 | 2014/165 |
| Section 80 | 1st August 2014 | 2014/165 |
| Section 81(1)(a), (b) and (c) | 1st August 2014 | 2014/165 |
| Section 81(3)(b) | 1st August 2014 | 2014/165 |
| Section 81(4) (partially) | 1st August 2014 | 2014/165 |
| Section 81(4) (partially) | 6th October 2014 | 2014/251 |
| Section 81(4) (partially) | 9th January 2015 | 2014/353 |
| Section 81(4) (partially) | 9th January 2015 | 2014/365 |
| Section 81(5) (partially) | 1st August 2014 | 2014/165 |
| Section 81(5) (so far as not already in force) | 9th January 2015 | 2014/353 |
| Section 81(7) | 9th January 2015 | 2014/353 |
| Section 81(8)(b) (partially) | 1st August 2014 | 2014/165 |
| Section 81(9) (partially) | 6th October 2014 | 2014/251 |
| Section 81(9) (so far as not already in force) | 9th January 2015 | 2014/365 |
| Section 81(10) | 9th January 2015 | 2014/353 |
| Section 81(11)(a) | 9th January 2015 | 2014/353 |
| Section 81(12) | 9th January 2015 | 2014/353 |
| Section 82 | 26th January 2015 | 2015/353 |
| Section 83 | 26th January 2015 | 2015/353 |
| Section 84 | 26th January 2015 | 2015/353 |
| Section 85 | 26th January 2015 | 2015/353 |
| Section 86 | 26th January 2015 | 2015/353 |
| Section 87 | 26th January 2015 | 2015/353 |
| Section 88 | 26th January 2015 | 2015/353 |
| Section 89 | 26th January 2015 | 2015/353 |
| Section 90 | 26th January 2015 | 2015/353 |
| Section 91 (partially) | 1st August 2014 | 2014/131 |
| Section 93(6) (partially) | 1st August 2014 | 2014/131 |
| Section 93 (so far as not already commenced) | 5th January 2014 | 2014/314 |
| Section 94 | 1st August 2014 | 2014/131 |
| Section 96 (partially) | 1st August 2014 | 2014/131 |
| Section 96 (partially) | 1st April 2015 | 2015/61 |
| Section 97 | 1st August 2014 | 2014/131 |
| Section 98 (partially) | 28th June 2014 | 2014/131 |

| <i>Provisions</i> | <i>Date of Commencement</i> | <i>S.S.I. No.</i> |
|--|-----------------------------|-------------------|
| Section 98 (partially) | 1st August 2014 | 2014/131 |
| Section 98 (partially) | 5th January 2015 | 2014/314 |
| Section 98 (partially) | 26th January 2015 | 2014/353 |
| Section 98 (partially) | 1st April 2015 | 2015/61 |
| Schedule 4 | 1st April 2015 | 2015/61 |
| Schedule 5, paragraph 1 | 1st August 2014 | 2014/131 |
| Schedule 5, paragraph 2(1) and (6) | 28th June 2014 | 2014/131 |
| Schedule 5, paragraph 2(2) | 1st August 2014 | 2014/131 |
| Schedule 5, paragraph 2(3) | 5th January 2015 | 2014/314 |
| Schedule 5, paragraph 2(4)(b) (partially) | 1st August 2014 | 2014/131 |
| Schedule 5, paragraph 2(4) (so far as not already commenced) | 5th January 2015 | 2014/314 |
| Schedule 5, paragraph 2(5)(b) (partially) | 1st August 2014 | 2014/131 |
| Schedule 5, paragraph 2(5) (so far as not already commenced) | 5th January 2015 | 2014/314 |
| Schedule 5, paragraph 3(1) and (2) | 26th January 2015 | 2015/353 |
| Schedule 5, paragraph 6 | 1st August 2014 | 2014/131 |
| Schedule 5, paragraph 7 | 28th June 2014 | 2014/131 |
| Schedule 5, paragraph 8 | 1st April 2015 | 2015/61 |
| Schedule 5, paragraph 10 | 1st August 2014 | 2014/131 |
| Schedule 5, paragraph 12(1) to (9) | 26th January 2015 | 2014/353 |

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