



Coronavirus (Recovery and Reform) (Scotland) Act 2022

2022 asp 8

PART 2

EDUCATION

CHAPTER 2

SCHOOL CONSULTATIONS

18 School consultations: meetings and documents

- (1) The Schools (Consultation) (Scotland) Act 2010 is modified as follows.
- (2) After section 11 insert—

“11ZA Directions relating to making documents available and holding public meetings

- (1) The Scottish Ministers may, on the application of an education authority, give a direction that the education authority is to take one or more of the actions mentioned in subsection (2).
- (2) Those actions are—
 - (a) to disregard the duty under section 4(4)(a) and 9(3)(a) to publish things in printed form,
 - (b) to treat the duty under sections 4(4)(b) and 9(3)(b) to make things available for inspection in a place as a duty to make things available in such manner as the education authority considers appropriate instead,
 - (c) to meet the duty under section 7(1) to hold a public meeting in a place by holding a meeting using remote facilities instead.
- (3) A direction may be given under this section only if the Scottish Ministers are satisfied that giving the direction is a necessary and proportionate action for or in connection with the protection of public health.

Changes to legislation: There are currently no known outstanding effects for the Coronavirus (Recovery and Reform) (Scotland) Act 2022, Chapter 2. (See end of Document for details)

- (4) A direction given under this section may vary or revoke an earlier direction.
- (5) A direction under this section—
- (a) may be varied or revoked,
 - (b) may relate to one or more relevant proposals,
 - (c) may be given subject to such conditions as may be specified in the direction.
- (6) A direction given under this section must be published in such manner as the Scottish Ministers consider appropriate.
- (7) In this section—
- “protection of public health” is to be construed in accordance with section 1(5) of the Public Health etc. (Scotland) Act 2008,
 - “remote facilities” means any equipment or facility which—
 - (a) enables persons who are not in the same place to participate in the meeting, and
 - (b) enables those persons to speak to and be heard by each other (whether or not it enables those persons to see and be seen by each other).”.

Commencement Information

II S. 18 in force at 1.10.2022, see s. 59(1)

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