

*These notes relate to the Higher Education Governance (Scotland)
Act 2016 (asp 15) which received Royal Assent on 13 April 2016*

HIGHER EDUCATION GOVERNANCE (SCOTLAND) ACT 2016

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 1: Governance Arrangements

Chapter 1: Governing bodies

Senior lay member of governing body

Section 7: Election franchise and result

16. **Section 7** relates to the election franchise and the election result in an election for the position of senior lay member. Section 7(1) provides that all staff and students of the HEI as well as members of the governing body will be entitled to vote in that election. The term students of the HEI is defined in section 22. Subsections (2) and (3) provide that an individual can only cast one vote (regardless of the number of eligible voting categories into which the individual falls), with each vote cast carrying equal weight. Subsection (4) provides for a simple majority electoral system such that the election is won by the candidate who secures the highest number of votes. Subsection (5) provides that when there is a tie for the highest number of votes cast, the winner is whoever is deemed to be the winner in accordance with rules made by the governing body of the HEI.