



# Higher Education Governance (Scotland) Act 2016

2016 asp 15

## PART 1

### GOVERNANCE ARRANGEMENTS

## CHAPTER 2

### ACADEMIC BOARDS

#### Modifications etc. (not altering text)

- C1 Pt. 1 Ch. 2 applied by S.I. 1993/557, art. 6(1), **Sch. 1** Pt. B para. (10) (as substituted (15.9.2018) by [The Edinburgh Napier University Amendment Order of Council 2018 \(S.S.I. 2018/170\)](#), **arts. 1, 5(a), 6(c)**)

#### 15 Composition of academic board

- (1) The membership of the academic board of a higher education institution is to be composed of—
- (a) the principal of the institution,
  - (b) the heads of school of the institution,
  - (c) persons appointed by being elected by the academic staff of the institution from among their own number,
  - (d) persons appointed by being elected by the students of the institution from among the students of the institution,
  - (e) such other persons as are appointed—
    - (i) by virtue of an enactment,
    - (ii) in accordance with the governing document of the institution, or
    - (iii) in accordance with a decision of the governing body of the institution.
- (2) The academic board is to be constituted in such a way that—

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*Changes to legislation:* There are currently no known outstanding effects for the Higher Education Governance (Scotland) Act 2016, CHAPTER 2. (See end of Document for details)

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- (a) more than 50% of its members fall within subsection (1)(c) or (d),
  - (b) at least 10% of its members fall within subsection (1)(d).
- (3) Despite subsection (2)(b), the academic board is not required to have more than 30 members who fall within subsection (1)(d).

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**Commencement Information**

**I1** S. 15 in force at 30.12.2016 by [S.S.I. 2016/382](#), **reg. 2(1)** (with **reg. 6**)

**16 Elections to academic board**

- (1) This section applies in relation to an election of members to the academic board of a higher education institution for the purpose of each of paragraphs (c) and (d) of section 15(1).
- (2) The election process is to be conducted in accordance with rules made by the governing body of the institution.
- (3) Rules under subsection (2) may include (in particular)—
- (a) provision specifying the number of appointments to be made,
  - (b) different provision for different vacancies.
- (4) Where the number of eligible candidates in a category is equal to or fewer than the number of vacancies in that category, those candidates are deemed to be elected.

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**Commencement Information**

**I2** S. 16 in force at 30.12.2016 by [S.S.I. 2016/382](#), **reg. 2(1)**

**17 Validity of board's proceedings**

The validity of any proceedings of the academic board is not affected by any—

- (a) vacancy in membership (or category of membership),
- (b) defect in the appointment of a member.

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**Commencement Information**

**I3** S. 17 in force at 30.12.2016 by [S.S.I. 2016/382](#), **reg. 2(1)**

**Changes to legislation:**

There are currently no known outstanding effects for the Higher Education Governance (Scotland) Act 2016, CHAPTER 2.