
EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes provision in relation to New College Lanarkshire and South Lanarkshire College.

Article 2(1) designates the board of management of New College Lanarkshire as a regional college. Article 2(2) provides that the designation as a regional college remains in force notwithstanding any change of name of New College Lanarkshire.

Article 3 amends schedule 2A to the Further and Higher Education (Scotland) Act 2005 by removing the entry for the Regional Board for Lanarkshire Colleges from Part 1 of that schedule and by inserting New College Lanarkshire as an other regional strategic body into Part 2 of that schedule.

Article 4 assigns the board of management of South Lanarkshire College to the regional strategic body, New College Lanarkshire, which is a regional strategic body by virtue of article 3. Article 4(2) provides that the board of management of South Lanarkshire College remains assigned to New College Lanarkshire notwithstanding any change of name of either college.

Article 5 makes provision under the Further and Higher Education (Scotland) Act 1992 (“the 1992 Act”) to amend Schedule 2 to the 1992 Act to alter the constitution of the board of management of New College Lanarkshire to reflect its new role as a regional strategic body. Article 5(1), (3) and (5) amend Schedule 2 to the 1992 Act to make it clear that paragraphs 3, 5 and 5C of that Schedule apply to the board of management of New College Lanarkshire as modified by this Order.

Article 5(2)(a) increases the size of the board of management of New College Lanarkshire so that it must have at least 19 and not more than 22 members. Article 5(2)(b) reduces from two to one the number of students from New College Lanarkshire on the board. Article 5(2)(c) provides that chairing member of the board of South Lanarkshire College, as well as the principal of South Lanarkshire College and the two elected members of staff on the board of South Lanarkshire College will also be members of the board of management of New College Lanarkshire. It also makes provision that one student from South Lanarkshire College is a member of the board of management of New College Lanarkshire. Article 5(2)(d) provides that, if the principal of South Lanarkshire College has been removed from the board of management of New College Lanarkshire under section 24 of the 1992 Act, that person would be disqualified from being part of the board of management of New College Lanarkshire.

Article 5(4) and (6) makes consequential amendments to the provisions in Schedule 2 to the 1992 Act regarding qualifications, tenure of office and resignation of the additional members of the board of management of New College Lanarkshire.