

## **Executive Note**

### **The Designation of Institutions of Higher Education (Scotland) Order 2006 SSI/2006/279**

The above instrument was made in exercise of the powers conferred by section 44 of the Further and Higher Education (Scotland) Act 1992 (“the 1992 Act”). The instrument is subject to negative resolution procedure.

#### **Policy Objectives**

Section 44 of the 1992 Act makes provision for the designation of institutions providing higher education. This instrument is made as a result of The Robert Gordon University changing its body corporate from The Governors of The Robert Gordon University to the University itself. This change necessitates the closing of the University as it is currently constituted by the Robert Gordon University (Closure) (Scotland) Order 2006. Shortly before the closure of the University, and to enable the transfer of assets and employees, a new institution of higher education will be established under the Robert Gordon University (Establishment) (Scotland) Order 2006. The Designation of Institutions of Higher Education (Scotland) Order 2006 designates the new institution.

A new governance instrument, the Robert Gordon University (Scotland) Order of Council 2006, is also being made. This makes new provision regarding the constitution, functions and powers of The Robert Gordon University and the arrangements to be adopted in discharging its functions. It will provide for a modern constitution in a clearer format and will replace the provisions in the existing 1993 Order.

#### **Consultation**

Robert Gordon University has been consulted during the preparation of the instrument.

#### **Financial Effects**

A Regulatory Impact Assessment has not been prepared as this instrument has no financial effects on the Scottish Executive, local government or on business.

Scottish Executive Enterprise, Transport and Lifelong Learning Department  
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