

2008 No. 388

EDUCATION

The Edinburgh Napier University Order of Council 2008

Made - - - - - *21st November 2008*

Laid before the Scottish Parliament *2nd December 2008*

Coming into force - - - *25th January 2009*

At the Council Chamber, Whitehall, the 21st day of November 2008

By the Lords of Her Majesty's Most Honourable Privy Council

Their Lordships make the following Order in exercise of the powers conferred upon Them by sections 45 and 60 of the Further and Higher Education (Scotland) Act 1992^(a) and all other powers enabling Them to do so.

Citation and commencement

1. This Order may be cited as the Edinburgh Napier University Order of Council 2008 and comes into force on 25th January 2009.

Amendment of the Napier University (Scotland) Order of Council 1993

2. In the Napier University (Scotland) Order of Council 1993^(b)—

(a) in article 2(1) (interpretation), for the definition of “the University” substitute—

““the University” means Edinburgh Napier University designated under section 44 of the Act being the institution formerly known as Napier University and as Napier Polytechnic of Edinburgh and now renamed in accordance with section 49 of the Act”;
and

(b) after article 13(1) (savings and transitional provisions), insert—

“(1A) References to “Napier University” or “the Court of Napier University”, to “Napier Polytechnic of Edinburgh” or “the Governors of Napier Polytechnic of Edinburgh”, to “Napier College of Commerce and Technology” or “the Governors of Napier College of Commerce and Technology”, to “Napier College of Science and Technology” or “the Governors of Napier College of Science and Technology”, or to “Napier Technical College” or “the Governors of Napier Technical College” in any:

(a) agreement, deed, bond or other writing, document or instrument of any description;

(b) action or proceeding pending or existing at 24th January 2009 by or against Napier University or the Court of Napier University before any court or other tribunal; and

^(a) 1992 c.37; to which there are amendments not relevant to this Order.

^(b) S.I. 1993/557, amended by S.S.I. 2007/160.

(c) document relating to or affecting any property, right, liability or obligation of Napier University or the Court of Napier University,
shall be read on or after 25th January 2009 as referring to “Edinburgh Napier University” or “the Court of Edinburgh Napier University” as the context requires; and no rights, interests, obligations or liabilities of any person shall be affected by the change of name of the institution or its governing body.”.

Amendment of the Napier College of Commerce and Technology (No. 2) Regulations 1985

3. In regulation 3 of the Napier College of Commerce and Technology (No. 2) Regulations 1985(**a**) (continuation of governing body), for “the Court of Napier University” substitute “the Court of Edinburgh Napier University”.

Judith Simpson
Clerk of the Privy Council

(a) S.I. 1985/1163, partially revoked and amended by S.I. 1988/1715 and 1993/557.

EXPLANATORY NOTE

(This note is not part of the Order)

In accordance with the requirements of section 49 of the Further and Higher Education (Scotland) Act 1992, the governing body of Napier University resolved on 16th June 2008 to change the name of Napier University to Edinburgh Napier University and the Privy Council consented to the change of name on 23rd September 2008. The change of name takes effect on 25th January 2009.

This Order amends the governance instruments of Napier University to reflect the change of name. Article 2 amends the Napier University (Scotland) Order of Council 1993 and article 3 amends the Napier College of Commerce and Technology (No. 2) Regulations 1985.

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