

POLICY NOTE

THE POST-16 EDUCATION (SCOTLAND) ACT 2013 (COMMENCEMENT NO. 5) ORDER 2014

SSI 2014/144 (C. 10)

1. The above instrument is made in exercise of the powers conferred by section 23(2) of the Post-16 Education (Scotland) Act 2013 (“the 2013 Act”).

Policy objectives

2. The instrument forms part of an implementation package for the 2013 Act. The provisions in the 2013 Act are being commenced in several stages.

Commencement

3. Sections 22 (Ancillary provision), 23 (Commencement) and 24 (Short title) came into force on the day following Royal Assent (i.e. 7 August 2013) by virtue of section 23(1).

4. The first Commencement Order, the Post-16 Education (Scotland) Act 2013 (Commencement No. 1) Order 2013 (S.S.I. 2013/281), was made on 24 September 2013. The second Commencement Order, the Post-16 Education (Scotland) Act 2013 (Commencement No. 2) Order 2013 (S.S.I. 2013/348), was made on 10 December 2013. The third Commencement Order, the Post-16 Education (Scotland) Act 2013 (Commencement No. 3 and Transitory and Savings Provisions) Order 2014 (S.S.I. 2014/21) was made on 22 January 2014. The fourth Commencement Order, the Post-16 Education (Scotland) Act 2013 (Commencement No. 4 and Transitory Provisions) Order 2014 (S.S.I. 2014/79) was made on 20 March 2014. They each commenced further provisions of the 2013 Act (details of which can be found in the note as to earlier commencement orders which accompanies this Order).

5. This Order commences on 1 August 2014 **section 8(1) and (2)** of the 2013 Act for the purpose of inserting the University of the Highlands and Islands into Part 2 of schedule 2A to the Further and Higher Education (Scotland) Act 2005. This makes the University of the Highlands and Islands a regional strategic body with effect from that date.

Consultation

6. In October 2013, the Scottish Government issued a consultation paper to colleges and other stakeholders on Ministers plans in single and multi-college regions¹ that are in part given effect in this Order, as they make the University of the Highlands and Islands a regional strategic body on 1 August 2014.

¹ <http://www.scotland.gov.uk/Publications/2013/10/7639>

Impacts

7. A partial Business Regulatory Impact Assessment and an Equality Impact Assessment was carried out for the Post-16 Education (Scotland) Bill. The partial Business Regulatory Impact Assessment and a results summary of the Equality Impact Assessment are available on the Scottish Government website.

**Scottish Government
Colleges and Adult Learning Division
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