
SCOTTISH STATUTORY INSTRUMENTS

2016 No. 382

**The Higher Education Governance (Scotland) Act
2016 (Commencement, Transitory, Transitional
and Savings Provisions) Regulations 2016**

Transitional and transitional saving provision: compliance with section 10

5.—(1) Where the condition in paragraph (2) is met in relation to a higher education institution on the day appointed by regulation 2(1), paragraphs (3) and (4) apply to that institution.

(2) The condition is that the higher education institution's governing document has the effect that the higher education institution is not complying with the requirements of section 10 of the 2016 Act (composition of governing body).

(3) Section 10 of the 2016 Act does not apply to the higher education institution until the earlier of—

- (a) 30th December 2020; or
- (b) the first date on which the condition is no longer met.

(4) Instead, section 11 of the Universities (Scotland) Act 1966(1) (university staff ineligible to become rector, or assessor on court except in certain circumstances) continues to have effect in relation to that higher education institution as it had effect immediately before the day appointed by regulation 2(1), despite the amendment of that section by paragraph 3(4) of the schedule of the 2016 Act.