

*These notes relate to the Further and Higher Education (Scotland)  
Act 2005 (asp 6) which received Royal Assent on 1 June 2005*

# **FURTHER AND HIGHER EDUCATION (SCOTLAND) ACT 2005**

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## **EXPLANATORY NOTES**

### **THE ACT – SECTION BY SECTION**

#### **Part 2 - General**

##### ***Section 32 Amendment of enactments***

50. This section refers to schedule 3, which sets out the consequential amendments which will be required as a result of this Act.

##### ***Section 33 Ancillary provision***

51. This gives Ministers powers to make incidental, consequential, transitional etc. provisions, by order.

##### ***Section 34 Orders and regulations***

52. This section sets out the power to make orders or regulations under the Act, and how these orders and regulations can be made.

##### ***Section 35 Interpretation***

53. This section provides definitions of certain expressions used in the Act.

##### ***Section 36 Short title and commencement***

54. This section gives the short title of the Act and provides for its commencement.

##### ***Schedule 1 — The Scottish Further and Higher Education Funding Council***

55. This schedule sets out further details of the status, membership and procedures of the Council. For example, it defines the membership of the Council, the provisions for appointing the chief executive and other staff, provision for committees and accounts, provision for the transfer of staff and properties of the existing Councils. There are requirements to have a statutory research committee and requirements on the Council to lay reports before the Parliament.

##### ***Schedule 2 — Fundable Bodies***

56. This contains the list of all current colleges and higher education institutions eligible for funding by the Scottish Further Education Funding Council and the Scottish Higher Education Funding Council, which will become fundable bodies. This list of bodies may be amended in accordance with the provisions in section 7.

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***Schedule 3 — Amendment of enactments***

57. This schedule makes consequential amendments which will be required to other legislation as a result of this Act.