

*Changes to legislation:* There are currently no known outstanding effects for the Further and Higher Education (Scotland) Act 2005, Cross Heading: Terms and conditions. (See end of Document for details)

## [<sup>F1</sup>SCHEDULE 2B REGIONAL BOARDS

### Textual Amendments

- F1** Sch. 2B inserted (1.5.2014 for the insertion of sch. 2B paras. 1, 2, 3 (in part), 6 (in part), 7 (in part), 8, 9 (in part), 10-12, 14-18, 1.8.2014 in so far as not already in force) by [Post-16 Education \(Scotland\) Act 2013 \(asp 12\)](#), **ss. 11(2), 23(2)**; S.S.I. 2014/79, art. 2(1)(2)(3), Sch. 1, 2 (with art. 3)

### *Terms and conditions*

- 7 (1) Subject to the other provisions of this Act—
- (a) the chairing member holds and vacates office on such terms and conditions as the Scottish Ministers may determine; and
  - (b) other members (unless holding office in pursuance of paragraph 3(2)(b)) hold and vacate office on such terms and conditions as the board may in each case determine.
- (2) Subject to sub-paragraphs (3) to (8), paragraph 9 and section 23Q—
- (a) the chairing member is to hold office for such period (not exceeding 4 years) as the Scottish Ministers may determine;
  - (b) a member appointed in pursuance of paragraph 3(2)(b) is to hold office until the person ceases to be a chairing member of any of the board's colleges;
  - (c) a member appointed by being elected in pursuance of paragraph 3(2)(c) or (d) is to hold office for 4 years;
  - [ a member appointed in pursuance of paragraph 3(2)(da) or (db) is to hold office for 4 years;]
  - <sup>F2</sup>(ca) a member appointed in pursuance of paragraph 3(2)(e) is to hold office until 31 August following appointment; and
  - (e) a member appointed under paragraph 3(2)(f) is to hold office for such period (not exceeding 4 years) as the board may determine.
- (3) The Scottish Ministers may extend the period of appointment of the chairing member for a single further period not exceeding 4 years.
- (4) The board may extend the period of appointment of a member it appoints for a single further period not exceeding 4 years (but such an extension has effect only if approved by the chairing member and the Scottish Ministers).
- (5) The chairing member is to vacate office if the chairing member becomes a person of the type described in paragraph 3(3).
- (6) A member appointed under paragraph 3(2)(c) or (d) is to vacate office if the member ceases to be a member of the teaching or, as the case may be, non-teaching staff of one of the board's colleges before the member's period of appointment ends.
- [ A member appointed in pursuance of paragraph 3(2)(da) or (db) is to vacate office
- <sup>F3</sup>(6A) if—
- (a) the member ceases to be a member of the teaching or, as the case may be, non-teaching staff of the board's colleges; or
  - (b) the member ceases to be a member of a branch of a trade union that has a connection with the board's colleges;

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before the member's period of appointment ends.]

- (7) A member appointed in pursuance of paragraph 3(2)(e) is to vacate office if the member ceases to be a student of one of the board's colleges before the member's period of appointment ends.
- (8) On ceasing to be a member, a person is eligible for reappointment (provided that the person is not ineligible by virtue of any other provision).]

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**Textual Amendments**

- F2** Sch. 2B para. 7(2)(ca) inserted (31.1.2024) by The Colleges of Further Education and Regional Strategic Bodies (Membership of Boards) (Scotland) Order 2023 (S.S.I. 2023/363), arts. 1, **3(3)(a)**
- F3** Sch. 2B para. 7(6A) inserted (31.1.2024) by The Colleges of Further Education and Regional Strategic Bodies (Membership of Boards) (Scotland) Order 2023 (S.S.I. 2023/363), arts. 1, **3(3)(b)**

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**Modifications etc. (not altering text)**

- C1** Sch. 2B para. 7(2)(d) excluded (1.8.2014) by The Assigned Colleges (Scotland) Order 2014 (S.S.I. 2014/80), arts. 1, **3**

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