



Further and Higher Education (Scotland) Act 2005

2005 asp 6

PART 1

FURTHER AND HIGHER EDUCATION ETC.

[^{F1}Regional strategic bodies: functions

[^{F1}23M Regional strategic bodies: consultation and collaboration

- (1) A regional strategic body must, where it considers it appropriate to do so in the exercise of its functions, consult—
- (a) its colleges;
 - (b) the representatives of—
 - (i) any trade union recognised by any of its colleges; and
 - (ii) any other trade union which appears to it to be representative of staff of any of its colleges;
 - (c) the students' association of any of its colleges;
 - (d) the local authorities for the areas in which its colleges are situated;
 - (e) the governing body of any other post-16 education body which provides fundable further education or fundable higher education in the locality of any of its colleges;
 - (f) any other regional college or regional strategic body whom it considers likely to have an interest in the matter concerned;
 - (g) any person who appears to it to be representative of employers in the same locality as any of its colleges;
 - (h) any person who appears to it to be representative of the interests of any sector for which any of its colleges provides specialist education or training;
 - (i) The Open University;
 - (j) The Skills Development Scotland Co. Limited;
 - (k) the Scottish Qualifications Authority; and

Status: Point in time view as at 16/10/2019.

Changes to legislation: There are currently no known outstanding effects for the Further and Higher Education (Scotland) Act 2005, Section 23M. (See end of Document for details)

- (l) Scottish Enterprise [^{F2}, South of Scotland Enterprise] or Highlands and Islands Enterprise (as appropriate).
- (2) Any particular requirement for consultation imposed on a regional strategic body by virtue of this or any other enactment is without prejudice to subsection (1).
- (3) A regional strategic body must, so far as is consistent with the proper exercise of its functions, seek to secure the collaboration with the body of any or all of the following persons—
- (a) its colleges;
 - (b) the representatives of any trade union recognised by any of its colleges or which otherwise appears to it to be representative of the staff of any of its colleges;
 - (c) the students' associations of its colleges;
 - (d) the local authorities for the areas in which its colleges are situated;
 - (e) the governing body of any other post-16 education body which provides fundable further education or fundable higher education in the locality of any of its colleges;
 - (f) any other regional college or regional strategic body whom it considers it appropriate to collaborate with;
 - (g) The Open University;
 - (h) The Skills Development Scotland Co. Limited;
 - (i) the Scottish Qualifications Authority; and
 - (j) Scottish Enterprise [^{F3}, South of Scotland Enterprise] or Highlands and Islands Enterprise (as appropriate).
- (4) The Scottish Ministers may by order modify subsection (1) or (3)—
- (a) by adding or removing persons, or types of persons, to which those provisions apply; or
 - (b) varying the description of any such person or type of person.
- (5) But such an order may not modify paragraph (a), (b) or (c) of subsection (1) or paragraph (a) of subsection (3).
- (6) A regional strategic body must, in relation to the provision of fundable further education and fundable higher education—
- (a) promote collaboration between its colleges; and
 - (b) promote such other collaboration between its colleges and other post-16 education bodies as it considers appropriate.]

Textual Amendments

- F1** Ss. 23E-23O and cross-heading inserted (1.8.2014) by [Post-16 Education \(Scotland\) Act 2013](#) (asp 12), [ss. 10, 23\(2\)](#); [S.S.I. 2014/79](#), art. 2(2), Sch. 2
- F2** Words in s. 23M(1)(l) inserted (16.10.2019) by [South of Scotland Enterprise Act 2019](#) (asp 9), s. 24(2), [sch. 2 para. 5\(4\)\(a\)](#); [S.S.I. 2019/308](#), reg. 2
- F3** Words in s. 23M(3)(j) inserted (16.10.2019) by [South of Scotland Enterprise Act 2019](#) (asp 9), s. 24(2), [sch. 2 para. 5\(4\)\(b\)](#); [S.S.I. 2019/308](#), reg. 2

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