



Post-16 Education (Scotland) Act 2013

2013 asp 12

Regional strategic bodies

8 Regional strategic bodies

(1) After section 7A of the 2005 Act, inserted by section 5(1), insert—

“7B Regional strategic bodies

(1) In this Act—

- (a) any reference to a regional strategic body is a reference to a body specified in schedule 2A;
- (b) any reference to a regional board is a reference to a body specified in Part 1 of that schedule.

(2) The Scottish Ministers may by order—

- (a) modify Part 1 of schedule 2A so as to establish, abolish or re-name a regional board;
- (b) modify Part 2 of schedule 2A by adding, removing or varying any entry relating to a fundable post-16 education body.

(3) Before making an order under subsection (2), the Scottish Ministers must consult—

- (a) the Council;
- (b) the local authority for any area in which post-16 education bodies provide, or are to provide, fundable further education or fundable higher education which is funded, or is to be funded, by the regional strategic body to which the order relates;
- (c) where it relates to a regional strategic body which already exists, the regional strategic body and its colleges; and
- (d) any other person appearing to the Scottish Ministers as likely to be affected by the order.”

(2) After schedule 2 to the 2005 Act insert—

Changes to legislation: There are currently no known outstanding effects for the Post-16 Education (Scotland) Act 2013, Section 8. (See end of Document for details)

“SCHEDULE 2A

(introduced by section 7B(1))

REGIONAL STRATEGIC BODIES

PART 1

REGIONAL BOARDS

Regional Board for Glasgow Colleges

Regional Board for Lanarkshire Colleges

PART 2

OTHER REGIONAL STRATEGIC BODIES

University of the Highlands and Islands”.

(3) After section 7B of the 2005 Act, inserted by subsection (1), insert—

“7C Assignment of colleges

- (1) The Scottish Ministers may by order assign colleges of further education to a regional strategic body.
- (2) An order may assign a college which is not, immediately before the order is made, either—
 - (a) a fundable post-16 education body; or
 - (b) assigned to another regional strategic body,
 only if the Council has proposed, or has approved, the assignment.
- (3) For the purposes of considering whether or not to propose or approve any assignment under subsection (2), the Council must have regard to the desirability of ensuring that the college concerned is a body for which there are suitable provisions, procedures and arrangements of the type described by or under section 7(2).
- (4) Without prejudice to section 34(2), the power to make an order under subsection (1) includes power to—
 - (a) remove from schedule 2 any entry relating to a college to which the order relates;
 - (b) make such further provision in relation to such a college as the Scottish Ministers consider appropriate.
- (5) But an order under subsection (1) may remove an entry relating to a college from schedule 2 only if the Council has proposed, or has approved, the removal.
- (6) Before making an order under this section, the Scottish Ministers must consult—
 - (a) the regional strategic body (except where not already established);

Changes to legislation: There are currently no known outstanding effects for the Post-16 Education (Scotland) Act 2013, Section 8. (See end of Document for details)

- (b) every college to which the order relates (except any not already established);
 - (c) the representatives of any trade union which is recognised by any college to which the order relates or which otherwise appears to the Scottish Ministers to be representative of the staff of such a college;
 - (d) the students' associations of the colleges to which the order relates;
 - (e) the Council;
 - (f) any local authority for an area in which any of the colleges to which the order relates is situated; and
 - (g) any other person appearing to the Scottish Ministers as likely to be affected by the order.
- (7) The Council may, whenever it considers appropriate, review whether a college which is assigned by order under subsection (1) is a body for which there are suitable provisions, procedures and arrangements of the type described by or under section 7(2).
- (8) On completing a review, the Council must provide a report of the review to the Scottish Ministers which—
- (a) sets out the conclusions which it has reached;
 - (b) explains why it has reached those conclusions; and
 - (c) makes any recommendations for action in consequence of those conclusions as it considers appropriate.
- (9) References in this Act to a regional strategic body's colleges are references to the governing bodies of the colleges assigned to it by an order under this section.”.

Commencement Information

- I1** S. 8(1)(2) in force at 3.3.2014 for specified purposes by S.S.I. 2014/21, art. 2, **Sch. 1**
- I2** S. 8(1)(2) in force at 1.5.2014 for specified purposes by S.S.I. 2014/79, art. 2(1), **Sch. 1**
- I3** S. 8(1)(2) in force at 1.8.2014 for specified purposes by S.S.I. 2014/144, **art. 2**
- I4** S. 8(1)(2) in force at 31.3.2015 in so far as not already in force by S.S.I. 2015/82, **art. 2**
- I5** S. 8(3) in force at 3.3.2014 by S.S.I. 2014/21, art. 2, **Sch. 1**

Changes to legislation:

There are currently no known outstanding effects for the Post-16 Education (Scotland) Act 2013, Section 8.