

*These notes relate to the Higher Education Governance (Scotland)
Act 2016 (asp 15) which received Royal Assent on 13 April 2016*

HIGHER EDUCATION GOVERNANCE (SCOTLAND) ACT 2016

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 1: Governance Arrangements

Chapter 1: Governing bodies

Senior lay member of governing body

Section 2: Interaction with role of rector

9. [Section 2](#) provides for the interaction between the senior lay member and rectors at the four ancient universities. These are the University of Glasgow, the University of Edinburgh, the University of Aberdeen and the University of St Andrews. Subsection (2) provides that paragraphs (a) and (b) of section 1(2), and section 1(3) so far as relevant in relation to those paragraphs, do not apply in relation to the ancient universities. This overriding of sections 1(2)(a), 1(2)(b) and 1(3) by section 2 means that the statutory functions of the rectors at the ancient universities under section 4 of the Universities (Scotland) Act 1858 and section 5(5) of the Universities (Scotland) Act 1889 are preserved. These functions of the rectors are of presiding at meetings of the governing body and having a deliberative and a casting vote at such meetings. Nevertheless, the senior lay member at an ancient university is expected to continue to participate and vote at meetings of the governing body just as the other members participate and vote.