



Higher Education Governance (Scotland) Act 2016

2016 asp 15

PART 1

GOVERNANCE ARRANGEMENTS

CHAPTER 1

GOVERNING BODIES

Membership of governing body

13 Resignation or removal from body

- (1) Rules made by the governing body of a higher education institution may contain provision about the procedure for the resignation or removal of—
- (a) the person appointed to the position of senior lay member of the governing body,
 - (b) the other persons within the membership of the governing body.
- (2) Provision as to removal is to (in particular)—
- (a) prescribe grounds for removal, for example—
 - (i) inability to exercise the senior lay member's functions or (as the case may be) the functions of membership generally,
 - (ii) misconduct (whether or not in the capacity as member),
 - (b) ensure that removal can be effected only by a resolution based on the grounds and passed by a specified majority of the members of the governing body,
 - (c) allow the person who is the subject of the resolution, if the resolution is so passed, to seek a review in order to have the resolution reconsidered or quashed.
- (3) For the purpose of subsection (2)(b)—
- (a) a specified majority may be a majority of any particular size,

Changes to legislation: There are currently no known outstanding effects for the Higher Education Governance (Scotland) Act 2016, Section 13. (See end of Document for details)

- (b) the person who is the subject of the resolution does not count in any calculation arising (and the person is not eligible to vote on the resolution).
- (4) Provision under subsection (1)(a) need not be the same as provision under subsection (1)(b).

Commencement Information

II S. 13 in force at 30.12.2016 by [S.S.I. 2016/382](#), [reg. 2\(1\)](#)

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