



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,

Status: This is the original version (as it was originally enacted).

- (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).