



# Scottish Qualifications Authority Act 2002

## 2002 asp 14

### **1 Scottish Qualifications Authority: members**

- (1) The members, including the chairman, of the Scottish Qualifications Authority (the “SQA”) appointed under the Education (Scotland) Act 1996 (c.43) (“the 1996 Act”) and holding office as at the coming into force of this section shall, subject to subsection (2) below, then cease to hold office.
  - (2) Subsection (1) above does not operate in relation to the chief executive of the SQA.
  - (3) The 1996 Act is amended as follows.
  - (4) In section 1 (establishment of SQA)—
    - (a) for paragraph (a) of subsection (2) there is substituted—
      - “(a) not fewer than eight nor more than ten individuals (including a chairman) appointed by the Scottish Ministers on such terms and conditions as they may, subject to and in accordance with paragraph 9 of Schedule 1 to this Act, determine.”;
    - (b) after subsection (2) there is inserted—
      - “(2A) One of the individuals appointed under paragraph (a) of subsection (2) above shall be a person appearing to the Scottish Ministers to have special knowledge of the interests of the employees of SQA.
      - (2B) Before inviting applications for appointment as the member mentioned in subsection (2A) above, the Scottish Ministers shall consult such employees, or persons representing those employees, as they think fit as to—
        - (a) the particular knowledge of such interests; and
        - (b) any other attributes,that persons seeking such appointment should possess.”;
  - and
  - (c) subsections (3) and (4) are repealed.
- (5) In paragraph 2(a) (terms of appointment of SQA members) of Schedule 1, the words “for a maximum period of four years” are repealed.

---

*Changes to legislation: There are currently no known outstanding effects for the Scottish Qualifications Authority Act 2002, Section 1. (See end of Document for details)*

---

- (6) Paragraph 3 (qualification of members of SQA) of that Schedule is repealed.
- (7) In paragraph 9 (remuneration and expenses of SQA members) of that Schedule—
- (a) in sub-paragraph (1)—
    - (i) in sub-sub-paragraph (a), after “such” there is inserted “ remuneration and ” and after “allowances” there is inserted “ and expenses ”;
    - (ii) sub-sub paragraph (b) and the word “and” which immediately precedes it are repealed; and
    - (iii) at the end there is inserted “ under section 1(2)(a) of this Act ”; and
  - (b) sub-paragraphs (2) and (3) are repealed.
- (8) In paragraph 10(1) (quorum for a meeting of SQA) of that Schedule, for “nine” there is substituted “ six ”.
- (9) In paragraph 11(4) (relationship between members and matters for purposes of avoidance of conflicts of interest) of that Schedule, for sub-sub-paragraphs (b) and (c) there is substituted—
- “(b) each other member who is an employee of SQA in relation to his terms and conditions of employment, his suspension, dismissal or any other disciplinary measure relating to him as an employee, his remuneration, allowances or expenses as a member, his re-appointment as a member or the appointment of his successor as a member; and
  - (c) each other member (including the chairman) in relation to his remuneration, allowances, expenses, re-appointment or the appointment of his successor.”

---

**Commencement Information**

- I1** S. 1 partly in force; s. 1 not in force at Royal Assent see s. 6(2); s. 1 (1)-(7)(a)(8)(9) in force at 19.8.2002 by S.S.I. 2002/355, art. 3(2)
- I2** S. 1(7)(b) in force at 31.8.2004 by S.S.I. 2004/347, art. 2

**Changes to legislation:**

There are currently no known outstanding effects for the Scottish Qualifications Authority Act 2002, Section 1.