

**Changes to legislation:** Education Reform Act 1988, Cross Heading: General provisions with respect to qualifications of members and tenure of office is up to date with all changes known to be in force on or before 18 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

## SCHEDULES

### SCHEDULE 7

#### [<sup>F1</sup>HIGHER EDUCATION CORPORATIONS IN WALES ESTABLISHED BEFORE THE APPOINTED DAY]

##### Textual Amendments

- F1** Sch. 7 heading substituted (1.8.2019) by Higher Education and Research Act 2017 (c. 29), s. 124(5), Sch. 8 para. 21(a); S.I. 2018/1226, reg. 4(o)

##### *General provisions with respect to qualifications of members and tenure of office*

- 8 (1) A member of a corporation shall hold and vacate office in accordance with the terms of his appointment and shall, on ceasing to be a member, be eligible for re-appointment.
- (2) A member of a corporation may at any time by notice in writing to the corporation resign his office.
- (3) Where a member of a corporation appointed as a teacher nominee, an academic nominee, a general staff nominee or a student nominee ceases before the end of his term of office to be qualified in accordance with paragraph 4 above for appointment as a nominee of the description in question his office shall thereupon become vacant.
- 9 (1) Subject to the following provisions of this paragraph, a person is not qualified for appointment as a member of a corporation at any time when he is under the age of eighteen or over the age of seventy.
- (2) A person over the age of seventy shall not by virtue of sub-paragraph (1) above be disqualified for appointment as a member of the corporation where—
- the appointing authority in relation to the appointment is the Secretary of State; or
  - the appointing authority in relation to the appointment determine to make the appointment by a vote representing an absolute majority of all the members of that authority (whether or not taking part in the vote).
- (3) It shall be for the appointing authority in relation to the appointment in question to determine any question arising under sub-paragraph (1) above with respect to a person's qualification for appointment as a member of the corporation.
- 10 If at any time a corporation are satisfied that any member of the corporation—
- has been absent from meetings of the corporation for a period longer than twelve consecutive months without the permission of the corporation; or
  - is unable or unfit to discharge the functions of a member;
- the corporation may by notice in writing to that member remove him from office; and thereupon the office shall become vacant.

**Changes to legislation:**

Education Reform Act 1988, Cross Heading: General provisions with respect to qualifications of members and tenure of office is up to date with all changes known to be in force on or before 18 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 120(4A) inserted by [2022 asc 1 Sch. 4 para. 5\(2\)](#)
- s. 124A(9A)(9B) inserted by [2022 asc 1 s. 137\(3\)](#)
- s. 125(8)(9) inserted by [2022 asc 1 s. 138\(2\)](#)
- s. 128(1)(b)(iib) omitted by [2011 c. 21 Sch. 16 para. 8](#)
- s. 128(1)(b)(iia) omitted by [2015 c. 20 Sch. 14 para. 35](#)
- s. 128(1A)-(1C) inserted by [2022 asc 1 s. 139\(3\)](#)
- s. 128(7)-(10) inserted by [2022 asc 1 s. 139\(6\)](#)
- s. 232(4ZA)-(4ZC) inserted by [2022 asc 1 s. 138\(3\)\(b\)](#)