
STATUTORY INSTRUMENTS

1993 No. 489 (S.54)

EDUCATION, SCOTLAND

**The Grant-aided Colleges (Scotland)
Grant Amendment Regulations 1993**

<i>Made</i>	- - - -	<i>2nd March 1993</i>
<i>Laid before Parliament</i>		<i>11th March 1993</i>
<i>Coming into force</i>	- -	<i>1st April 1993</i>

The Secretary of State, in exercise of the powers conferred on him by sections 73(c) and 74(1) of the Education (Scotland) Act 1980(1), and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Grant-aided Colleges (Scotland) Grant Amendment Regulations 1993 and shall come into force on 1st April 1993.

(2) In these Regulations, “the principal Regulations” means the Grant-aided Colleges (Scotland) Grant Regulations 1989(2).

Partial revocation and amendment of the principal Regulations

2.—(1) The provisions of the principal Regulations specified in Column 1 of the Schedule to these Regulations are revoked to the extent specified in Column 2 of that Schedule.

(2) In regulation 2 of the principal Regulations, for the definition of “governing body” there shall be substituted the following definition:—

““governing body” means the governing body, as defined in section 56(1) of the Further and Higher Education (Scotland) Act 1992(3), of a designated institution;”.

(1) 1980 c. 44; section 74(1) was amended by the Self-Governing Schools etc. (Scotland) Act 1989 (c. 39), Schedule 10, paragraph 8(17).
(2) S.I.1989/433, amended by S.I. 1992/1025.
(3) 1992 c. 37.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

St. Andrew's House,
Edinburgh
2nd March 1993

James Douglas-Hamilton
Parliamentary Under Secretary of State, Scottish
Office

SCHEDULE

Regulation 2(1)

Revocations of provisions of the principal Regulations

Column (1) Provision	Column (2) Extent of revocation
Regulation 2	Definition of “financial year”
Regulations 3, 4, 5, 6, 7	The whole regulations
Regulation 8	Paragraph (1)(b) and (c) and paragraph (2)
Regulation 10	The whole regulation
Regulation 12	The whole regulation

EXPLANATORY NOTE

(This note is not part of the Regulations)

On 1st April 1993 the Scottish Higher Education Funding Council take over responsibility for funding higher education in Scotland. The Secretary of State will accordingly cease to pay grants to the institutions known formerly as grant-aided colleges and now as designated institutions. These Regulations are consequential on this change.

The Regulations revoke the provisions of the Grant-aided Colleges (Scotland) Grant Regulations 1989 (“the principal Regulations”) which enable grant to be paid, so no grants will be payable from 1st April 1993. They also revoke the provisions as to conditions of grant and requirements relating to grant which it is not considered apt to retain from 1st April 1993.

The Regulations, however, leave in force, in relation to grants already paid under the principal Regulations or earlier Regulations, the requirements, imposed by Regulations 8 and 9 of the principal Regulations, intended to protect the Exchequer’s interest in publicly funded assets. The Secretary of State’s prior approval will still be needed for disposals of land or buildings provided, improved or maintained with the aid of grant. Building works on land or buildings provided or improved with the aid of grant will also still require his approval, and if such land or buildings are sold, a portion of the proceeds will still need to be paid to the Secretary of State.

The amendment of regulation 2, and revocation of regulation 12, of the principal Regulations are consequential on changes in the subordinate legislation governing designated institutions.