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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into force the following provisions of the Post-16 Education (Scotland) Act 2013 (“the Act”) on 3rd March 2014: sections 2 to 4, 5(2), 6(1), 7 to 8, 9(1), 13 to 17, 19 and 21, and paragraphs 1, 2(2) and (3), (4)(b), (5) to (7), 5, 7, 8(2) to (4), (5)(a)(ii), (6), (7)(a)(ii) and (b), (c), and (e) to (j), (8) to (10), (12) to (19), (20)(a), (21), (22)(c) and (23) to (24) of the schedule to the Act. Article 2 appoints 3rd March 2014 as the day for the coming into force of the provisions mentioned in the Schedule to the Order. Some are partially commenced for restricted purposes only.

Article 3 makes transitory modification of sections 24(1)(a)(i) of, and paragraphs 5A(1)(c) and 5B(3) of Schedule 2 to, the Further and Higher Education (Scotland) Act 1992 (“the 1992 Act”) and of sections 9(4)(b) and (11), 9B(2), 9D(1), 14A(6), 19A(7) and 35(3)(b) of, and paragraph 4(2)(c) of schedule 1 to, the Further and Higher Education (Scotland) Act 2005 (“the 2005 Act”). These modifications relate to provisions concerning regional strategic bodies which are not yet in force. Article 4 makes a transitory modification of section 26A of the 2005 Act so that it does not have effect in relation to colleges of further education listed in Schedule 2 to this Order until they are first either designated as a regional college by order made under section 7A of the 2005 Act or assigned to a regional strategic body by order made under section 7C of the 2005 Act. Article 5 makes a transitory savings provision in relation to colleges of further education so that section 24 of, and Schedule 2 to, the 1992 Act which relate to Boards of Management of those colleges will continue to apply to them as they did immediately before the date on which this Order comes into force. Articles 4 and 5 will cease to have effect when paragraph 8(6) of the schedule to the Act comes into force for the purpose of inserting section 7D(7) to (9) into the 2005 Act.