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SCOTTISH STATUTORY INSTRUMENTS

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**2014 No. 79 (C. 6)**

**EDUCATION**

**The Post-16 Education (Scotland) Act 2013 (Commencement  
No. 4 and Transitory Provisions) Order 2014**

<i>Made</i>	- - - -	<i>20th March 2014</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>24th March 2014</i>
<i>Coming into force</i>	- -	<i>1st May 2014</i>

The Scottish Ministers make the following Order in exercise of the powers conferred by section 23(2) and (3) of the Post-16 Education (Scotland) Act 2013<sup>(1)</sup>.

**Citation, commencement and interpretation**

1.—(1) This Order may be cited as the Post-16 Education (Scotland) Act 2013 (Commencement No. 4 and Transitory Provisions) Order 2014 and comes into force on 1st May 2014.

(2) In this Order “the Act” means the Post-16 Education (Scotland) Act 2013.

**Appointed days**

2.—(1) 1st May 2014 is the day appointed for the coming into force of the provisions of the Act specified in column 1 of Schedule 1 to this Order (the subject matter of which is described in column 2 of Schedule 1), in so far as they are not already in force.

(2) 1st August 2014 is the day appointed for the coming into force of the provisions of the Act specified in column 1 of Schedule 2 to this Order (the subject matter of which is described in column 2 of Schedule 2), in so far as they are not already in force.

(3) Where a purpose is specified in column 3 of Schedule 1 or 2 in relation to any provision, that provision comes into force on appointed day for that purpose only.

**Transitory modification: regional boards**

3. Until 1st August 2014, schedule 2B to the 2005 Act (regional boards) (2) is to be read as if—

(a) in paragraph 3(2)(f), for “10” there were substituted “17”;

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(1) [2013 asp 12](#).

(2) Schedule 2B is inserted into the 2005 Act by section 11(2) of the Act (as commenced by this Order).

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- (b) in paragraph 7(1)(b) the words “(unless holding office in pursuance of paragraph 3(2)(b))” were omitted; and
- (c) in paragraph 9(2) the words “(except for a member appointed in pursuance of paragraph 3(2)(b))” were omitted.

St Andrew’s House,Edinburgh  
20th March 2014

*MICHAEL RUSSELL*  
A member of the Scottish Government

## SCHEDULE 1

Article 2(1)

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Provisions of the Act</i>	<i>Subject-matter</i>	<i>Purpose</i>
Section 8	Regional strategic bodies	For the purpose of inserting the Regional Board for Glasgow Colleges into Part 1 of schedule 2A to the 2005 Act.
Section 9(2)	Funding of and by regional strategic bodies	For the purpose of inserting section 12A into the 2005 Act
Section 11(1)	Regional boards: constitution	
Section 11(2)	Regional boards: constitution	For the purpose of inserting paragraphs 1, 2, 3(1), (2)(a) and (f), (3) and (5) to (8), 6(1) and (2), 7(1), (2)(a) and (e), (3) to (5) and (8), 8, 9(1) to (4) and (6) to (8), 10 to 12 and 14 to 18 into schedule 2B to the 2005 Act.
Section 12	Regional boards: mismanagement	
Section 19	Equal opportunities: post-16 education bodies etc.	
Section 21	Modification of enactments	For the purpose of commencing paragraphs 2(4)(a), 4, 6 and 7, 8(5)(a)(iii) and (iv), (b) and (c), (7)(a)(i) and (d), (11), (18), (20) (b) and (22)(c) and (d) of the schedule to the Act.
Schedule, paragraph 2(4)	Modification of enactments	
Schedule, paragraph 4	Modification of enactments	
Schedule, paragraphs 6 and 7	Modification of enactments	
Schedule, paragraph 8(5)	Modification of enactments	
Schedule, paragraph 8(7)	Modification of enactments	
Schedule, paragraph 8(11)	Modification of enactments	
Schedule, paragraph 8(18)	Modification of enactments	
Schedule, paragraph 8(20)	Modification of enactments	
Schedule, paragraph 8(22)	Modification of enactments	

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## SCHEDULE 2

Article 2(2)

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Provisions of the Act</i>	<i>Subject-matter</i>	<i>Purpose</i>
Section 9 (2)	Funding of and by regional strategic bodies	
Section 10	Regional strategic bodies: functions	
Section 11(2)	Regional boards: constitution	
Section 21	Modification of enactments	For the purpose of commencing paragraph 9 of the schedule to the Act.
Schedule, paragraph 9	Modification of enactments	

**EXPLANATORY NOTE**

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

Article 2(1) of this Order brings into force the following provisions of the Post-16 Education (Scotland) Act 2013 (“the Act”) on 1st May 2014: sections 8, 9(2), 11, 12, 19 and 21 of, and paragraphs 2(4), 4, 6, 7, 8(5), 8(7), (11), (18), (20) and (22) (so far as not already in force) of the schedule to, the Act.

Article 2(2) of this Order brings into force the following provisions of the Act on 1st August 2014: sections 9(2), 10, 11(2), 21 of, and paragraph 9 of the schedule to, the Act.

Some provisions of the Act are partially commenced for restricted purposes only (article 2(3)).

Article 3 makes transitory modification in relation to paragraphs 3(2)(f), 7(1)(b) and 9(2) of schedule 2A to the Further and Higher Education (Scotland) Act 2005 to make provision in relation to the membership of regional boards for the period until colleges are assigned to the Regional Board for Glasgow Colleges.

**NOTE AS TO EARLIER COMMENCEMENT ORDERS**

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

The Bill for the Act received Royal Assent on 7th August 2013. Section 23(1) of the Act brought into force sections 22 to 24 of the Act on the day after Royal Assent. The provisions of the Act commenced by earlier commencement orders are detailed in the table below.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.S.I. No.</i>
Section 1	10th October 2013	<a href="#">2013/281</a>
Sections 2 to 4	3rd March 2014	<a href="#">2014/21</a>

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.S.I. No.</i>
Section 5(1)	13th January 2014	2013/348
Section 5(2)	3rd March 2014	2014/21
Section 6(1)	3rd March 2014	2014/21
Section 6(2)	10th October 2013	2013/281
Section 7	3rd March 2014	2014/21
Section 8(1) and (2) (partially)	3rd March 2014	2014/21
Section 8(3)	3rd March 2014	2014/21
Section 9(1)	3rd March 2014	2014/21
Section 13 (partially)	10th October 2013	2013/281
Sections 13 to 17	3rd March 2014	2014/21
Section 18	13th January 2014	2013/348
Section 19 (partially)	3rd March 2014	2014/21
Section 20	13th January 2014	2013/348
Section 21 (partially)	10th October 2013	2013/281
Section 21 (partially)	13th January 2014	2013/348
Section 21 (partially)	3rd March 2014	2014/21
Schedule, paragraph 1	3rd March 2014	2014/21
Schedule, paragraph 2(1)	13th January 2014	2013/348
Schedule, paragraph 2(2)(b) (partially)	13th January 2014	2013/348
Schedule, paragraph 2(2) and (3)	3rd March 2014	2014/21
Schedule, paragraph 2(4)(b)	3rd March 2014	2014/21
Schedule, paragraph 2(5) to (7)	3rd March 2014	2014/21
Schedule, paragraph 2(7)(d)	10th October 2013	2013/281
Schedule, paragraph 3	10th October 2013	2013/281
Schedule, paragraph 5	3rd March 2014	2014/21
Schedule, paragraph 7 (partially)	3rd March 2014	2014/21
Schedule, paragraph 8(1)	13th January 2014	2013/348
Schedule, paragraph 8(2) to (4)	3rd March 2014	2014/21
Schedule, paragraph 8(5)(a)(i)	10th October 2013	2013/281
Schedule, paragraph 8(5)(a)(ii)	3rd March 2014	2014/21
Schedule, paragraph 8(6)	3rd March 2014	2014/21

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.S.I. No.</i>
Schedule, paragraph 8(7)(a)(ii) and (b), (c) and (e) to (j)	3rd March 2014	<a href="#">2014/21</a>
Schedule, paragraph 8(8) to (10)	3rd March 2014	<a href="#">2014/21</a>
Schedule, paragraph 8(12) to (17)	3rd March 2014	<a href="#">2014/21</a>
Schedule, paragraph 8(18) (partially)	3rd March 2014	<a href="#">2014/21</a>
Schedule, paragraph 8(19)	3rd March 2014	<a href="#">2014/21</a>
Schedule, paragraph 8(20)(a)	3rd March 2014	<a href="#">2014/21</a>
Schedule, paragraph 8(21)	3rd March 2014	<a href="#">2014/21</a>
Schedule, paragraph 8(22)(a)	10th October 2013	<a href="#">2013/281</a>
Schedule, paragraph 8(22)(b)	10th October 2013	<a href="#">2013/281</a>
Schedule, paragraph 8(22)(c) (partially)	10th October 2013	<a href="#">2013/281</a>
Schedule, paragraph 8(22)(c) (partially)	3rd March 2014	<a href="#">2014/21</a>
Schedule, paragraph 8(23)(a) (i)	13th January 2014	<a href="#">2013/348</a>
Schedule, paragraph 8(23)(a) (iii) (partially)	13th January 2014	<a href="#">2013/348</a>
Schedule, paragraph 8(23)(a) (iv) (partially)	13th January 2014	<a href="#">2013/348</a>
Schedule, paragraph 8(23) to (24)	3rd March 2014	<a href="#">2014/21</a>