



Further and Higher Education (Scotland) Act 1992

1992 CHAPTER 37

PART I

FURTHER EDUCATION

CHAPTER V

GENERAL

36 Interpretation of Part I.

(1) In this Part of this Act and in Part I of Schedule 8 to this Act, unless the context otherwise requires—

“the 1989 Act” means the ^{M1}Self-Governing Schools etc. (Scotland) Act 1989;

“board of management” means a body corporate established in pursuance of section 3(2), 11(2), 13(2) or 14(3) of this Act, and references to “board” shall be construed accordingly;

“college of further education” means an educational establishment by which further education is provided;

“dispose” includes sell, transfer, grant, vary, create or extinguish any real right in, over or in respect of land; and “disposal” shall be construed accordingly;

“the first transfer date” has the meaning given by section 11 of this Act;

“further education” has the meaning given by section 1 of this Act;

“interest in land” means any estate in land or any right in or over land, including any right to occupy or to use land or to restrict the occupation or use of land; ^{F1}...

Changes to legislation: There are currently no known outstanding effects for the Further and Higher Education (Scotland) Act 1992, Section 36. (See end of Document for details)

“land” includes, without prejudice to the meaning given to it by Schedule 1 to the Interpretation Act 1978, an interest in land within the meaning of this section.

[^{F2}“recognised”, in relation to a trade union, has the meaning given by section 178(3) of the Trade Union and Labour Relations (Consolidation) Act 1992, and “recognises” is to be construed accordingly;]

[^{F3} “ regional college ” means a college of further education designated as a regional college by order made under section 7A of the Further and Higher Education (Scotland) Act 2005; and

“ regional strategic body ” has the same meaning as in that Act of 2005.]

- (2) Any reference in this Part of this Act to a person who has a learning difficulty shall be construed in accordance with section 1(4) of this Act.
- (3) Subject to subsection (1) above, expressions used in this Part of this Act and in the 1980 Act or the 1989 Act (or in both of those Acts) shall, unless the context otherwise requires, have the same meaning in this Part of this Act as in that Act.

Textual Amendments

- F1** Word in s. 36(1) omitted (3.3.2014) by virtue of [Post-16 Education \(Scotland\) Act 2013 \(asp 12\)](#), s. 23(2), [Sch. para. 2\(5\)\(a\)](#); S.S.I. 2014/21, art. 2, [Sch. 1](#)
- F2** Definition "recognised" in s. 36(1) inserted (31.3.2015) by [The Post-16 Education \(Scotland\) Act 2013 \(Modification of Legislation\) Order 2015 \(S.S.I. 2015/153\)](#), art. 1, [Sch. para. 2\(2\)](#)
- F3** Definitions "regional college" and "regional strategic body" in s. 36(1) inserted (3.3.2014) by [Post-16 Education \(Scotland\) Act 2013 \(asp 12\)](#), s. 23(2), [Sch. para. 2\(5\)\(b\)](#); S.S.I. 2014/21, art. 2, [Sch. 1](#)

Commencement Information

- I1** S. 36 wholly in force at 16.5.1992 see s. 63(2) and [S.I. 1992/817](#), art. 3(2), [Sch. 1](#)

Marginal Citations

- M1** 1989 c. 39.

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