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SCOTTISH STATUTORY INSTRUMENTS

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**2016 No. 382**

**The Higher Education Governance (Scotland) Act  
2016 (Commencement, Transitory, Transitional  
and Savings Provisions) Regulations 2016**

**Transitional and transitory saving provision: compliance with section 15**

6.—(1) Where the condition in paragraph (2) is met in relation to a higher education institution on the day appointed by regulation 2(1), paragraphs (3) and (4) apply to that institution.

(2) The condition is that the higher education institution's governing document has the effect that the higher education institution is not complying with the requirements of section 15 of the 2016 Act (composition of academic board).

(3) Section 15 of the 2016 Act does not apply to the higher education institution until the earlier of—

- (a) 30th December 2020; or
- (b) the first date on which the condition is no longer met.

(4) Instead, section 5 of the Universities (Scotland) Act 1858<sup>(1)</sup> (powers of the senatus academicus and principal) and section 7 and paragraph 4 of Part 1 of schedule 2 of the Universities (Scotland) Act 1966 (constitution of senates and powers exercisable by ordinance) continue to have effect in relation to that higher education institution on and after the day appointed by regulation 2(1) as if those provisions had not been amended by paragraphs 1(3)(a), 3(3) and 3(6) of the schedule of the 2016 Act.