

*Status: Point in time view as at 03/10/2005.*

*Changes to legislation: There are currently no known outstanding effects for the Further and Higher Education (Scotland) Act 2005, SCHEDULE 3. (See end of Document for details)*

### SCHEDULE 3

(introduced by section 32)

#### AMENDMENT OF ENACTMENTS

##### *Superannuation Act 1972 (c. 11)*

- 1 In the Superannuation Act 1972, in Schedule 1(kinds of employment, etc. referred to in section 1) the entries relating to—
- (a) the Scottish Further Education Funding Council;
  - (b) the Scottish Higher Education Funding Council; and
  - (c) a body corporate created by virtue of section 59A(2)(c) of the Further and Higher Education (Scotland) Act 1992,
- are repealed.

#### Commencement Information

**I1** Sch. 3 para. 1 in force at 3.10.2005 by S.S.I. 2005/419, art. 2(1)

##### *House of Commons Disqualification Act 1975 (c. 24)*

- 2 In the House of Commons Disqualification Act 1975, in Part III of Schedule 1(disqualifying offices) the entries relating to—
- (a) the Scottish Further Education Funding Council; and
  - (b) the Scottish Higher Education Funding Council,
- are repealed.

#### Commencement Information

**I2** Sch. 3 para. 2 in force at 3.10.2005 by S.S.I. 2005/419, art. 2(1)

##### *Sex Discrimination Act 1975 (c. 65)*

- 3 In the Sex Discrimination Act 1975, section 23B is repealed.

#### Commencement Information

**I3** Sch. 3 para. 3 in force at 3.10.2005 by S.S.I. 2005/419, art. 2(1)

##### *Race Relations Act 1976 (c. 74)*

- 4 In the Race Relations Act 1976—
- (a) section 18B; and
  - (b) in Schedule 1A(bodies and other persons subject to general statutory duty), the entries relating to—
    - (i) the Scottish Further Education Funding Council; and
    - (ii) the Scottish Higher Education Funding Council,
- are repealed.

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**I4** Sch. 3 para. 4 in force at 3.10.2005 by S.S.I. 2005/419, art. 2(1)

*Education Reform Act 1988 (c. 40)*

- 5 In section 235 (general interpretation) of the Education Reform Act 1988, in subsection (5A), for the words “Scottish Higher Education Funding Council” there is substituted “ Scottish Further and Higher Education Funding Council ”.

**Commencement Information**

**I5** Sch. 3 para. 5 in force at 3.10.2005 by S.S.I. 2005/419, art. 2(1)

*Further and Higher Education (Scotland) Act 1992 (c. 37)*

- 6 (1) In the 1992 Act—
- (a) in section 3 (powers of Scottish Ministers), in subsection (1), the words from “shall” to “he” are repealed;
  - (b) in section 12 (boards of management)—
    - (i) in subsection (1), for the words from “of” in the second place where it occurs to the end there is substituted “ of managing and conducting their college. ”; and
    - (ii) in subsection (3), the words “over school age” are repealed;
  - (c) in section 44 (designation of institutions), in subsection (1), for the words from “by” in the first place where it occurs to the end there is substituted “ , for the purposes of this Part of this Act, by order designate any institution providing higher education (whether or not it also provides education of any other kind or carries on any other activities). ”; and
  - (d) in section 61 (interpretation), after the words “1980;” in the second place where they occur there is inserted—

““the Council” means the Scottish Further and Higher Education Funding Council;”.

- (2) In that Act—

- (a) section 1(1) and (2) and (4) to (6);
  - (b) sections 4, 7 to 10, 22, 23, 37, 39 to 43, 50, 51, 53, 54 and 59A;
  - (c) Schedules 1 and 7; and
  - (d) paragraphs 4(3) and 5(3) of Schedule 9,
- are repealed.

**Commencement Information**

**I6** Sch. 3 para. 6 in force at 3.10.2005 by S.S.I. 2005/419, art. 2(1)

*Teaching and Higher Education Act 1998 (c. 30)*

- 7 In the Teaching and Higher Education Act 1998—

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- (a) section 37 (joint exercise of functions of funding council in Scotland); and
  - (b) in paragraph 2 of Schedule 3 (minor and consequential amendments), the entry relating to a body corporate created by virtue of section 59A(2)(c) of the Further and Higher Education (Scotland) Act 1992,
- are repealed.

**Commencement Information**

**I7** Sch. 3 para. 7 in force at 3.10.2005 by S.S.I. 2005/419, art. 2(1)

*Public Finance and Accountability (Scotland) Act 2000 (asp 1)*

- 8 In the Public Finance and Accountability (Scotland) Act 2000, in paragraph 11 of schedule 4 (modification of enactments), sub-paragraphs (2) and (4) are repealed.

**Commencement Information**

**I8** Sch. 3 para. 8 in force at 3.10.2005 by S.S.I. 2005/419, art. 2(1)

*Ethical Standards in Public Life etc. (Scotland) Act 2000 (asp 7)*

- 9 In the Ethical Standards in Public Life etc. (Scotland) Act 2000, in schedule 3 (devolved public bodies)—
- (a) after the entry relating to the Scottish Environment Protection Agency there is inserted— “ The Scottish Further and Higher Education Funding Council ”; and
  - (b) the entries relating to—
    - (i) the Scottish Further Education Funding Council; and
    - (ii) the Scottish Higher Education Funding Council,are repealed.

**Commencement Information**

**I9** Sch. 3 para. 9 in force at 3.10.2005 by S.S.I. 2005/419, art. 2(1)

*Education (Graduate Endowment and Student Support) (Scotland) Act 2001 (asp 6)*

- 10 In the Education (Graduate Endowment and Student Support) (Scotland) Act 2001, in paragraph (a) of the definition of “publicly funded institution” in subsection (5) of section 1 (the graduate endowment), for the words “4 or 40 of the 1992 Act” there is substituted “ 12 of the Further and Higher Education (Scotland) Act 2005 (asp 6) ”.

**Commencement Information**

**I10** Sch. 3 para. 10 in force at 3.10.2005 by S.S.I. 2005/419, art. 2(1)

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*Scottish Public Services Ombudsman Act 2002 (asp 11)*

- 11 In the Scottish Public Services Ombudsman Act 2002, in schedule 2 (listed authorities)—
- (a) after paragraph 40 there is inserted—
 

“40A The Scottish Further and Higher Education Funding Council.”; and
  - (b) paragraphs 41 and 43 are repealed.

**Commencement Information**

**I11** Sch. 3 para. 11 in force at 3.10.2005 by S.S.I. 2005/419, art. 2(1)

*Freedom of Information (Scotland) Act 2002 (asp 13)*

- 12 In the Freedom of Information (Scotland) Act 2002, in schedule 1 (Scottish public authorities)—
- (a) in paragraph 49, for the words “Scottish Higher Education Funding Council” there is substituted “Scottish Further and Higher Education Funding Council”;
  - (b) after paragraph 85 there is inserted—
 

“85A The Scottish Further and Higher Education Funding Council.”; and
  - (c) paragraphs 86 and 87 are repealed.

**Commencement Information**

**I12** Sch. 3 para. 12 in force at 3.10.2005 by S.S.I. 2005/419, art. 2(1)

*Public Appointments and Public Bodies etc. (Scotland) Act 2003 (asp 4)*

- 13 In the Public Appointments and Public Bodies etc. (Scotland) Act 2003, in schedule 2 (specified authorities)—
- (a) after the entry relating to the Scottish Environment Protection Agency there is inserted— “Scottish Further and Higher Education Funding Council”; and
  - (b) the entries relating to the—
    - (i) Scottish Further Education Funding Council; and
    - (ii) Scottish Higher Education Funding Council,
 are repealed.

**Commencement Information**

**I13** Sch. 3 para. 13 in force at 3.10.2005 by S.S.I. 2005/419, art. 2(1)

*The Scottish Further Education Funding Council  
 (Establishment) (Scotland) Order 1998 (S.I. 1998/2667)*

- 14 The Scottish Further Education Funding Council (Establishment) (Scotland) Order 1998 (S.I. 1998/2667) is revoked.

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**Commencement Information**

**I14** Sch. 3 para. 14 in force at 3.10.2005 by S.S.I. 2005/419, art. 2(1)

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