



Further and Higher Education (Scotland) Act 2005

2005 asp 6

PART 1

FURTHER AND HIGHER EDUCATION ETC.

The Council: exercise of functions

22 Consultation and collaboration

- (1) The Council must, in the exercise of its functions—
 - (a) where it considers it appropriate to do so, consult any or all of the persons referred to in subsection (5); and
 - (b) so far as is consistent with the proper exercise of its functions, seek to secure the collaboration with the Council of those persons.
- (2) The Council must, where it considers it appropriate to do so in the exercise of its functions, consult—
 - (a) a trade union which appears to it to be representative of staff of the fundable bodies; or
 - (b) a body of persons which appears to it to be representative of students of the fundable bodies.
- (3) Any particular requirement for consultation imposed on the Council by virtue of this Act is without prejudice to subsections (1)(a) and (2).
- (4) The persons referred to in subsection (5) must provide the Council with such information as it may reasonably require for the purposes of or in connection with the exercise of any of its functions.
- (5) The persons are—
 - (a) any local authority;
 - (b) the governing body of any fundable body;
 - (c) the governing body of any other body which provides fundable further education or fundable higher education;

Status: This is the original version (as it was originally enacted).

- (d) the Scottish Qualifications Authority;
 - (e) Scottish Enterprise;
 - (f) Highlands and Islands Enterprise;
 - (g) any local enterprise company;
 - (h) Scottish University for Industry (that is, the organisation comprised of Scottish UFI Limited and Scottish UFI Trust); and
 - (i) Communities Scotland (that is, the agency of the Scottish Executive known by that name).
- (6) In subsection (5)(g), “local enterprise company” means a person who is responsible, by virtue of an agreement made under section 19 (delegation of certain functions and powers) of the Enterprise and New Towns (Scotland) Act 1990 (c. 35), for the discharge of any functions of Scottish Enterprise or Highlands and Islands Enterprise.
- (7) The Scottish Ministers may by order modify subsections (5) and (6).
- (8) The Council must, in relation to the provision of fundable further education and fundable higher education, promote collaboration between the fundable bodies.