



# Post-16 Education (Scotland) Act 2013

## 2013 asp 12

### *Regional boards*

#### **13 Establishment and abolition of regional boards: supplemental**

After section 23Q of the 2005 Act, inserted by section 12, insert—

##### **“23R Establishment and abolition of regional boards: supplemental**

- (1) The Scottish Ministers may make such arrangements as they consider appropriate in anticipation of the establishment of a regional board by virtue of an order under section 7B or the coming into force of section 8 of the Post-16 Education (Scotland) Act 2013.
- (2) They may, in particular, appoint on terms and conditions determined by them persons who are, from the day on which the board is established, to hold office as if appointed under paragraph 3(2)(a) or, as the case may be, (f) of schedule 2B.
- (3) An order under section 7B(2)(a) which abolishes a regional board may, in particular, make provision—
  - (a) for the transfer of the regional board's staff, property, rights, liabilities or obligations to such other person as may be specified in the order;
  - (b) for the Scottish Ministers to pay any expenses incurred in connection with the abolition;
  - (c) imposing such duties or conferring such additional powers in relation to the abolition as the Scottish Ministers consider appropriate;
  - (d) for the exercise of any of the regional board's functions by any member of the board specified in the order;
  - (e) appointing a person to administer the abolition (and giving that person such powers and duties as appear to the Scottish Ministers to be necessary or expedient for such purposes as are specified in the order).
- (4) Such an order—
  - (a) must ensure that any transferred property and rights which, before the transfer, were to be applied for the purpose of the advancement

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**Changes to legislation:** There are currently no known outstanding effects for the Post-16 Education (Scotland) Act 2013, Section 13. (See end of Document for details)

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of education are to continue to be applied for that purpose after the transfer;

- (b) may contain provision for the transfer of staff, property, rights, liabilities or obligations only if the person to whom the transfer is being made (apart from the Scottish Ministers) has consented to the transfer.

(5) This section does not prejudice the generality of powers conferred by section 34(2) or by section 22 of the Post-16 Education (Scotland) Act 2013.”.

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**Commencement Information**

- I1** S. 13 in force at 10.10.2013 for specified purposes by S.S.I. 2013/281, art. 2, Sch.
- I2** S. 13 in force at 3.3.2014 in so far as not already in force by S.S.I. 2014/21, art. 2, Sch. 1

**Changes to legislation:**

There are currently no known outstanding effects for the Post-16 Education (Scotland) Act 2013, Section 13.