

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

## SCHEDULE 1 **S**

### THE SCOTTISH FURTHER AND HIGHER EDUCATION FUNDING COUNCIL

#### *Membership of the Council*

- 2 (1) The Council is to consist of the following members—
- (a) the person holding the post of chief executive;
  - (b) a person appointed by the Scottish Ministers to chair meetings of the Council (the “chairing member”); and
  - (c) no fewer than 11 nor more than 14 other members appointed by the Scottish Ministers.
- (2) Each member (apart from the chief executive) is to be appointed for a period not exceeding 4 years.
- (3) The Scottish Ministers may, on the expiry of a period of appointment of a member (apart from the chief executive), extend that appointment for a single further period not exceeding 4 years.
- (4) A member (apart from the chief executive)—
- (a) may by giving notice in writing to the Scottish Ministers resign office as a member of the Council; and
  - (b) otherwise, holds and vacates office in accordance with the terms and conditions of appointment.
- (5) If the Scottish Ministers are satisfied that a member (apart from the chief executive) —
- (a) has been absent from meetings of the Council for a period longer than 6 consecutive months without the permission of the Council; or
  - (b) is otherwise unable or unfit to discharge the functions of a member,
- the Scottish Ministers may by giving notice in writing to the member remove the member from office.
- (6) A person is, on ceasing to be a member, eligible for reappointment.

#### **Commencement Information**

**II** Sch. 1 para. 2 in force at 3.10.2005 by [S.S.I. 2005/419](#), **art. 2(1)**

- 3 (1) In appointing members, the Scottish Ministers are to have regard to the desirability of including—
- (a) persons who—
    - (i) have experience of, and have shown capacity in, the provision of fundable further education or fundable higher education; or
    - (ii) have held, and have shown the capacity in, any position carrying the responsibility for the provision of such education;
  - (b) persons who have experience of, and have shown capacity in industrial, commercial or financial matters or the practice of any profession; and
  - (c) persons who have such other skills, knowledge or experience as the Scottish Ministers consider to be relevant in relation to the exercise of the Council's functions.

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- (2) In appointing members, the Scottish Ministers are also to have regard to the desirability of—
- (a) including persons who are currently engaged in the provision of, or carrying responsibility for the provision of, fundable further education or fundable higher education; and
  - (b) the membership of the Council (taken as a whole) having experience of, and having shown capacity in, a broad range of such education.
- (3) In appointing members, the Scottish Ministers are also to have regard to the desirability of including persons who—
- (a) have experience, and have shown capacity, relating to research or the application of research; and
  - (b) are currently engaged in research or the application of research.

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**Commencement Information**

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

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