
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2008 No.

**The Further and Higher Education (Scotland)
Act 1992 Modification Order 2008**

Modification of the Further and Higher Education (Scotland) Act 1992

2. In section 47 of the Further and Higher Education (Scotland) Act 1992⁽¹⁾—
 - (a) after subsection (1) insert—

“(1ZA) But where this section forms part of the constitution of a designated institution established by enactment an order under subsection (1) may not be made to close that institution and wind-up its governing body unless the governing body of the institution consents to such closure and winding up.”; and
 - (b) after subsection (10) insert—

“(11) In subsection (1ZA), “constitution” has the meaning given by section 106 of the Charities and Trustee Investment (Scotland) Act 2005.”.

⁽¹⁾ 1992 (c. 37). The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).