

## **Executive Note**

### **The Fundable Bodies (Scotland) Order 2006 SSI/2006/480**

The above instrument was made in exercise of the powers conferred by section 7(1) and 34(2)(a) of the Further and Higher Education (Scotland) Act 2005 (“the 2005 Act”). The instrument is subject to affirmative resolution procedure.

#### **Policy Objectives**

This instrument is made as a result of The Robert Gordon University changing its body corporate from The Governors of The Robert Gordon University to the University itself. This change necessitates the closing of the University as it is currently constituted by the Robert Gordon University (Closure) (Scotland) Order 2006. Before the closure of the University, and to enable the transfer of assets and employees, a new institution of higher education has been established under the Robert Gordon University (Establishment) (Scotland) Order 2006. The Scottish Higher and Further Education Funding Council (“the Funding Council”) may only fund institutions listed in Schedule 2 of the 2005 Act. The purpose of this Order is modify Schedule 2 of the 2005 Act to ensure that the Funding Council is able to fund the new institution established by the Robert Gordon University (Establishment) (Scotland) Order 2006.

A new governance instrument, the Robert Gordon University (Scotland) Order of Council 2006, is also being made. This makes new provision regarding the constitution, functions and powers of The Robert Gordon University and the arrangements to be adopted in discharging its functions. It will provide for a modern constitution in a clearer format and will replace the provisions in the existing 1993 Order.

#### **Consultation**

Robert Gordon University and the Funding Council have been consulted during the preparation of the instrument.

#### **Financial Effects**

A Regulatory Impact Assessment has not been prepared as this instrument has no financial effects on the Scottish Executive, local government or on business.

Scottish Executive Enterprise, Transport and Lifelong Learning Department  
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