



Further and Higher Education (Scotland) Act 1992

1992 CHAPTER 37

PART I

FURTHER EDUCATION

CHAPTER II

SCOTTISH FURTHER EDUCATION FUNDING COUNCIL

7 Scottish Further Education Funding Council.

- (1) The Secretary of State may by order establish a body corporate to be known as “the Scottish Further Education Funding Council” (referred to in this Part of this Act as the “Funding Council”).
- (2) An order establishing the Funding Council shall prescribe such of the functions of the Secretary of State under this Part of this Act, not being functions mentioned in subsection (3) below, as may be exercised on his behalf by the Funding Council.
- (3) The functions referred to in subsection (2) above are—
 - (a) any power of the Secretary of State under this Part of this Act—
 - (i) to make orders or regulations; or
 - (ii) to give directions;
 - (b) the giving of consent by the Secretary of State, other than the giving of consent under section 12(7) or 18 of this Act;
 - (c) the carrying out of consultation by the Secretary of State under any of sections 3(4), 5(1), 6(3), 12(9), 19(4) and 20(2) of this Act;
 - (d) the making of a determination by the Secretary of State under section 12(5) of this Act;

Status: Point in time view as at 21/11/1998. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Further and Higher Education (Scotland) Act 1992, Section 7. (See end of Document for details)

- (e) the appointment by the Secretary of State of members of the college council in pursuance of Schedule 6 to this Act;
 - (f) the power of the Secretary of State under section 12(6) of and paragraph 2(2) of Schedule 5 to this Act to require reports and returns to be made and information to be given; and
 - (g) the giving of notice by the Secretary of State under section 24(2) of this Act.
- (4) For the purposes of subsection (3) above, the functions there specified include such functions as applied or modified in pursuance of an order made under this Part of this Act.
- (5) The Funding Council shall, notwithstanding that they are exercising functions on behalf of the Secretary of State, be entitled to enforce any rights acquired, and shall be liable in respect of any liabilities incurred (including liability in damages for wrongful or negligent acts or omissions), in the exercise of those functions in all respects as if the Funding Council were acting as a principal; and all proceedings for enforcement of such rights and liabilities shall be brought by or against the Funding Council in their own name.
- (6) Schedule 1 to this Act shall have effect as regards the constitution and supplementary powers of and other matters relating to the Funding Council.

Status:

Point in time view as at 21/11/1998. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Further and Higher Education (Scotland) Act 1992, Section 7.