
STATUTORY INSTRUMENTS

1990 No. 2202 (S.191)

EDUCATION, SCOTLAND

The Edinburgh College of Art (Amendment) Order 1990

Made - - - - *6th November 1990*
Laid before Parliament *14th November 1990*
Coming into force - - *5th December 1990*

The Secretary of State, in exercise of the powers conferred on him by paragraph 13(a) of the First Schedule to the Edinburgh College of Art Order 1959(1), and of all other powers enabling him in that behalf, at the request of the Governors of Edinburgh College of Art, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Edinburgh College of Art (Amendment) Order 1990 and shall come into force on 5th December 1990.

Interpretation

2. In this Order, “the principal Order” means the Edinburgh College of Art Order 1959.

Amendment of the First Schedule to the principal Order

3.—(1) In paragraph 3(1) of the First Schedule to the principal Order, after the word “present” there shall be inserted the words “and voting, or where sub-paragraph (2) applies by a majority of those voting, either in person or by proxy.”.

(2) In paragraph 3 of the First Schedule to the principal Order, after sub-paragraph (1) there shall be inserted the following sub-paragraph:-

“(2) In respect of the following matters a governor may vote either in person or by a proxy appointed in accordance with paragraph 3A of this Schedule:-

- (a) the election of the chairman;
- (b) the appointment of a principal of the college;
- (c) any question where-

(1) Confirmed by and set out in the Schedule to the [Edinburgh College of Art Order Confirmation Act 1959 \(c.xxxiv\)](#); the relevant amending instrument is [S.I.1988/1715](#).

- (i) the governing body have at a previous meeting determined that because of the importance of the question proxy voting should be permitted; and
- (ii) notice of the terms of the question and of the decision to allow proxy voting on it is delivered or posted to each governor not less than seven days before the meeting.”.

4. After paragraph 3 of the First Schedule to the principal Order there shall be inserted the following paragraph:—

“**3A.**—(1) Only a governor may be appointed to be a proxy.

(2) An instrument appointing a proxy shall be in writing executed by the appointer and shall be deposited with the secretary before the commencement of the meeting at which the person named in such instrument proposes to vote, otherwise the person so named shall not be entitled to vote as proxy.

(3) A vote given by proxy shall be valid notwithstanding revocation of the authority of the proxy, unless notice in writing of the revocation was received by the secretary before the commencement of the meeting.

(4) Any instrument appointing a proxy shall be in the following form (or in a form as near thereto as circumstances allow or in any other form which the governing body may approve):—

The Edinburgh College of Art

I, [name and address], a governor of the above-mentioned College, hereby appoint [name and address], a governor of that College, or failing him [name and address], a governor of that College, to vote for me and on my behalf at the meeting of the governing body to be held on [date] and at any adjournment thereof upon any question in respect of which proxy voting is competent.

[Add instructions as to voting if desired, specifying questions and how the proxy is to vote, or if he is to abstain from voting, upon them.]

Unless otherwise instructed, the proxy may vote as he thinks fit, or abstain from voting.

Signed on

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St Andrew’s House,
Edinburgh
6th November 1990

Michael B. Forsyth
Minister of State, Scottish Office

Status: *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the First Schedule to the Edinburgh College of Art Order 1959 so as to permit governors of the College to appoint proxies to vote for them on certain questions coming before meetings of the governing body. The proxy must also be a governor.