



# Scottish Qualifications Authority Act 2002

## 2002 asp 14

### 3 Advisory Council

- (1) The Scottish Ministers may by regulations establish a committee (to be known as the Advisory Council) for the purposes of—
- (a) considering matters relating to—
    - (i) qualifications devised or awarded by the SQA; and
    - (ii) the functions, and procedure, of the SQA;
  - (b) providing, when asked by the SQA or the Scottish Ministers to do so, advice to the SQA or, as the case may be, the Scottish Ministers in relation to those matters; and
  - (c) providing, at any time, advice to—
    - (i) the SQA; and
    - (ii) the Scottish Ministers,in relation to such of those matters as the Advisory Council thinks appropriate, and those regulations may make such incidental or supplementary provision as the Scottish Ministers think fit.
- (2) Those regulations may make provision for or in connection with—
- (a) the appointment of a convener of the Advisory Council (including any conditions of appointment);
  - (b) the appointment of other members of the Advisory Council (including the number, or limits on the number, of those who may be appointed and any conditions of appointment);
  - (c) the tenure of office of the convener and other members (including the circumstances in which they are to cease to hold office or may be removed or suspended from office);
  - (d) the appointment of, constitution of and exercise of functions by committees and sub-committees (including committees and sub-committees which consist of or include persons who are not members of the Advisory Council);
  - (e) the procedure of the Advisory Council (including the validation of proceedings in the event of vacancies or defects in appointment);
  - (f) allowing a representative of the Scottish Ministers, other than a member of the SQA, to observe or participate at meetings of the Advisory Council;

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*Status: This is the original version (as it was originally enacted).*

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- (g) the manner in which the Advisory Council is to provide advice (including the manner in which, and persons to whom, it is to provide copies of advice);
  - (h) the provision by the SQA of responses to any advice provided to it by the Advisory Council (including the manner in which, and persons to whom, it is to provide copies of such responses); and
  - (i) the payment by the SQA to the convener and other members of the Advisory Council of such allowances and expenses as the Scottish Ministers may determine.
- (3) A person may be convener of the Advisory Council only if that person is a member of the SQA.
- (4) Regulations under subsection (1) above shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of the Scottish Parliament.