



Post-16 Education (Scotland) Act 2013

2013 asp 12

Regional boards

12 Regional boards: mismanagement

After section 23P of the 2005 Act, inserted by section 11(1), insert—

“23Q Mismanagement by regional boards

- (1) This section applies where it appears to the Scottish Ministers that a regional board—
 - (a) has committed or is committing—
 - (i) a serious breach of any term or condition of a grant made to it under section 12(1)(c); or
 - (ii) repeated breaches of such terms or conditions;
 - (b) has failed or is failing—
 - (i) properly to discharge its responsibility for administering the funds made available to it under that section in respect of its colleges; or
 - (ii) to discharge any of its duties properly; or
 - (c) has mismanaged, or is mismanaging, its financial or other affairs.
- (2) Where this section applies, the Scottish Ministers may by order—
 - (a) remove any or all of the members of the regional board; and
 - (b) where a removed member was appointed under paragraph 3(2)(a) or (f) of schedule 2B, appoint another person in place of the removed member.
- (3) Before making an order under subsection (2)(a), the Scottish Ministers must consult the Council.
- (4) The Scottish Ministers must give notice of exercise of the power of removal conferred by subsection (2)(a) to the board and the member.
- (5) An appointment made under subsection (2)(b) has effect as if made under the provision of paragraph 3 of schedule 2B under which the removed member was appointed.”

Changes to legislation: There are currently no known outstanding effects for the
Post-16 Education (Scotland) Act 2013, Section 12. (See end of Document for details)

Commencement Information

II [S. 12](#) in force at 1.5.2014 by [S.S.I. 2014/79](#), art. 2(1), [Sch. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the Post-16 Education (Scotland) Act 2013, Section 12.