



# Further and Higher Education (Scotland) Act 1992

## 1992 CHAPTER 37

### PART III

#### MISCELLANEOUS

#### 60 Regulations and orders.

- (1) Any power under this Act of the Secretary of State to make regulations or orders or of the Privy Council to make orders shall, subject to subsection (2) below, be exercisable by statutory instrument subject, other than an order made under section 63(2) of this Act [<sup>F1</sup>or which falls within subsection (2A)], to annulment in pursuance of a resolution of either House of Parliament.
- (2) Subsection (1) above shall not apply to an order made under section 14(4), 19(3) or 20(1) or of paragraph 18(4) of Schedule 2 to this Act.

[<sup>F2</sup>(2A) An order falls within this subsection if—

- (a) it is made under section 3(5) of this Act and makes provision other than provision varying the maximum or minimum number of members of a board of management established in pursuance of Part 1 of this Act; or
- (b) it is made under section 12(8) of this Act.

(2B) An order falling within subsection (2A) is subject to the affirmative procedure.]

- (3) Regulations and orders made under this Act may make different provision as to different cases or circumstances; and such regulations or orders may contain such incidental, supplementary or transitional provision as the Secretary of State or, as the case may be, the Privy Council, think fit.

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**Changes to legislation:** There are currently no known outstanding effects for the Further and Higher Education (Scotland) Act 1992, Section 60. (See end of Document for details)

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#### Textual Amendments

- F1** Words in s. 60(1) inserted (3.3.2014) by Post-16 Education (Scotland) Act 2013 (asp 12), s. 23(2), **Sch. para. 2(6)(a)**; S.S.I. 2014/21, art. 2, Sch. 1
- F2** S. 60(2A)(2B) inserted (3.3.2014) by Post-16 Education (Scotland) Act 2013 (asp 12), s. 23(2), **Sch. para. 2(6)(b)**; S.S.I. 2014/21, art. 2, Sch. 1

#### Commencement Information

- I1** S. 60 wholly in force at 16.5.1992 see s. 63(2) and S.I. 1992/817, art. 3(2), **Sch. 1**

**Changes to legislation:**

There are currently no known outstanding effects for the Further and Higher Education (Scotland) Act 1992, Section 60.