SCOTTISH STATUTORY INSTRUMENTS

2003 No. 487

EDUCATION

The Further and Higher Education (Scotland) Act 1992 Amendment Order 2003

Made - - - -	*1st October 2003*
Laid before the Scottish Parliament - - - -	*3rd October 2003*
Coming into force - -	*14th November 2003*

The Scottish Ministers, in exercise of the powers conferred by section 12(8) of the Further and Higher Education (Scotland) Act 1992(**1**), and of all other powers enabling them in that behalf, and having consulted in accordance with section 12(9) of that Act with such persons or organisations appearing to them to be representative of boards of management, and such other persons as appear to them to be appropriate, hereby make the following Order:

Citation and commencement

1. This Order may be cited as the Further and Higher Education (Scotland) Act 1992 Amendment Order 2003, and shall come into force on 14th November 2003.

Powers of boards of management

2.—(1) The Further and Higher Education (Scotland) Act 1992 is amended in accordance with this article.

(2) In section 12(2), after section 12(2)(a), insert–

"(aa) to provide part-time and full-time courses of instruction for persons of school age(**2**);".

(3) In section 12(2)(b), after "further education" insert "or any course of instruction provided under sub-paragraph (aa)".

(**1**) 1992 c. 37. Section 61 contains a definition of "prescribed" relevant to the exercise of statutory powers under which this Order is made. The functions of the Secreatry of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).

(**2**) By virtue of section 36(3) of the 1992 Act and section 31 of the Education (Scotland) Act 1980 (c. 44), persons are of school age if they have attained the age of five years and have not attained the age of sixteen years.