

## **Standing Orders - Annex**

The Council should be aware of the legislative requirements below, which are not included in the Standing Orders. These appear in Schedule 1 of the Further and Higher Education (Scotland) Act 2005.

### ***Membership of the Council***

- 2 (2) Each member (apart from the chief executive) is to be appointed for a period not exceeding 4 years.
- 2 (3) The Scottish Ministers may, on the expiry of a period of appointment of a member (apart from the chief executive), extend that appointment for a single further period not exceeding 4 years.
- 2 (4) A member (apart from the chief executive) –
- (a) may by giving notice in writing to the Scottish Ministers resign office as a member of the Council; and
  - (b) otherwise, holds and vacates office in accordance with the terms and conditions of appointment.
- 2 (5) If the Scottish Ministers are satisfied that a member (apart from the chief executive) –
- (a) has been absent from meetings of the Council for a period longer than 6 consecutive months without the permission of the Council; or
  - (b) is otherwise unable or unfit to discharge the functions of a member,
- the Scottish Ministers may by giving notice in writing to the member remove the member from office.
- 2 (6) A person is, on ceasing to be a member, eligible for reappointment.

### ***Remuneration, allowances and pensions for members***

- 5 (1) The Council is to pay to its members (apart from the chief executive) such remuneration as the Scottish Ministers may in each case determine.

- 5 (2) The Council is to pay to its members such allowances as the Scottish Ministers may in each case determine.
- 5 (3) The Council is, in respect of any person who is or has been a member (apart from the chief executive), to pay, or make such payments towards the provision of, such pensions, allowances and gratuities as the Scottish Ministers may in each case determine.
- 5 (4) Where a person ceases to be a member (apart from the chief executive), the Scottish Ministers may, in special circumstances, direct the Council to make to the person a payment of such amount of compensation as the Scottish Ministers may determine.

### ***Committees***

- 10 A (1) The Council must establish a committee (a “skills committee”) for the purposes of advising the Council on matters relating to skills.
- 10 A (2) The Council is to appoint one of its members to chair meetings of the skills committee.
- 10 A (3) In appointing members of the skills committee, the Council is to have regard to any guidance issued to it under sub-paragraph (4) (a).
- 10 A (4) The Scottish Ministers may issue to the Council guidance about –
- (a) the composition of the skills committee; and
  - (b) the committee’s functions.
- 11 (1) The Council must establish a committee (a “research committee”) for the purposes of advising the Council on matters concerning research.
- 11 (2) The Council is to appoint one of its members to chair meetings of the research committee.
- 11 (3) In appointing members of the research committee, the Council is to have regard to the desirability of including persons who –
- (a) have experience, and have shown capacity, relating to research or the application of research; and

(b) are currently engaged in research or the application of research.

- 12 The Council may establish other committees for any purposes relating to its functions.
- 13 (1) The Council is to –
- (a) subject to paragraphs 10A(2) and (3) and 11(2) and (3), determine the composition of its committees;
  - (b) determine the terms and conditions of committee membership; and
  - (c) determine the procedure (including any quorum) of its committees.
- 13 (2) Any of the committees of the Council may include persons who are not members of the Council.
- 13 (3) The Council is to pay to the members of its committees (whether or not they are also members of the Council) such allowances as the Scottish Ministers may determine.
- 13 (4) The Council is to keep under review the structure of its committees and the scope of the activities of each.

***Participation of Scottish Ministers at meetings***

- 15 A representative of the Scottish Ministers is entitled to participate in any deliberations (but not in decisions) at meetings of the Council or of any committee of the Council.