Further and Higher Education (Scotland) Bill

Bill Number: SP Bill 26
Introduced on: 30 September 2004
Introduced by: Jim Wallace (Executive Bill)
Passed: 20 April 2005
Royal Assent: 1 June 2005

2005 asp 6

Passage of the Bill

The Further and Higher Education (Scotland) Bill [SP Bill 26] was introduced in the Parliament on 30 September 2004. The Enterprise and Culture Committee, as lead committee, published its 12th Report, 2004: Stage 1 Report on the Further and Higher Education (Scotland) Bill on 20 December 2004. The Stage 1 debate on the general principles of the Bill took place on 20 January 2005 and the Bill was passed following the Stage 3 parliamentary debate on 20 April 2005.

Purpose and objectives of the Bill

The Bill's purpose is to dissolve the Scottish Further Education Council and the Scottish Higher Education Council and create a new body to be called the Scottish Further and Higher Education Council.

Provisions of the Bill

The Bill makes provision as to the functions and duties of the new body, as well as the duties on Ministers. It also makes provisions for support for further and higher education, provisions relating to bodies which provide further and higher education and provisions for connected purposes. The Bill also makes provisions to bring colleges and higher education institutions (the fundable bodies) within the remit of the Scottish Public Services Ombudsman. The Bill amends the Further and Higher Education (Scotland) Act 1992 and also contains new provisions to do this, following 2 rounds of consultation. The first consisted of a discussion paper and discussions with key stakeholders, followed by a full public consultation paper entitled A Changing Landscape for Tertiary Education and Research in Scotland.

Parliamentary consideration

The most contentious issue was section 8 of the Bill, which makes provisions for allowing variable fees by type of course. An amendment lodged and agreed at stage 3 created a statutory duty to consult in advance of using the power to vary fees.