POLICY NOTE

THE ABERTAY UNIVERSITY AND ROBERT GORDON UNIVERSITY (CHANGE OF NAMES) (MISCELLANEOUS AMENDMENTS) (SCOTLAND) ORDER 2020

S.S.I. 2020/286

Purpose of the instrument: To amend the Further and Higher Education (Scotland) Act 2005 ("the 2005 Act"), the Protection of Charities Assets (Exemption) (Scotland) Order 2006 ("the 2006 Order") and the Public Finance and Accountability (Scotland) Act 2000 (Economy, efficiency and effectiveness examinations) (Specified Bodies etc.) Order 2010 ("the 2010 Order") to reflect the recent change of name of the 'University of Abertay Dundee' to 'Abertay University' and of 'The Robert Gordon University' to 'Robert Gordon University'.

1. The above instrument is subject to the affirmative resolution procedure and is being laid under section 33 of the Interpretation and Legislative Reform (Scotland) Act 2020 (combination of powers).

Policy Objectives

2. The University of Abertay Dundee is a designated institution under section 44 of the Further and Higher Education (Scotland) Act 1992 ("the 1992 Act"). Having considered that the University had been operating and widely referred to as Abertay University for some time, the University Court resolved to change its legal name. In accordance with section 49 of the 1992 Act, the University received formal approval from the Privy Council on 6 February 2019 to change its name to 'Abertay University' and the new name has been in force since 1 September 2019, as part of The Abertay University (Scotland) Order of Council 2019.

3. The Robert Gordon University is a designated institution under section 44 of the Further and Higher Education (Scotland) Act 1992. As it is commonly referred to as 'Robert Gordon University', which causes confusion and makes the University difficult to find in alphabetical lists of HEIs, the University changed its name. In accordance with section 49 of the 1992 Act, the University received formal approval from the Privy Council on 9 November 2018 to change its name to 'Robert Gordon University' (i.e. removal of definite article) and this new name has been in force since 1 January 2020, as part of The Robert Gordon University (Scotland) Order of Council 2019.

4. Given the nature of the changes being proposed, policy officials had no objections to these changes. This instrument will update the 2005 Act, the 2006 Order and the 2010 Order to reflect the name changes, by amending references to the institutions by their old names

Proposals

5, Article 1 of the Order provides that the Order comes into force on 26 November 2020 and provides the name of the Order.

6. Article 2 modifies schedule 2 of the 2005 Act to delete the previous names and replace with the new names.

7. Article 3 amends part 3 of the schedule of the 2006 Order to delete the previous names and replace with the new names. It also inserts "University Court" as the governing body for Abertay University.

8. Article 4 modifies the 2010 Order to give effect to the changes in name. It does this by deleting references to specific institutions and instead expanding the cross-reference to schedule 2 of the 2005 Act.

Commencement

9. The Order will come into force on 25 September 2020.

Consultation

10. The Scottish Government consulted the Scottish Funding Council during the preparation of this instrument.

Impacts

11. A Regulatory Impact Assessment has not been prepared as this instrument has no financial effects on the Scottish Government, local government or on business.

Directorate for Advanced Learning and Science
Scottish Government

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