This draft Statutory Instrument has been printed to correct defects in the draft laid on 7 November 2007 and is being issued free of charge to all known recipients of that draft Statutory Instrument.

Draft Regulations laid before Parliament under section 152(2B) of the Learning and Skills Act 2000, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2007 No.

EDUCATION, ENGLAND

The Regional Learning and Skills Councils Regulations 2007

Made - - - - 2007

Coming into force on the seventh day after the day on which they are made

The Secretary of State for Innovation, Universities and Skills makes the following Regulations, in exercise of the powers conferred by section 18A(2) of the Learning and Skills Act 2000 (**a**);

In accordance with section 152(2B) of that Act (**b**), a draft of these Regulations was laid before Parliament and approved by a resolution of each House.

Citation and commencement

1. These Regulations may be cited as the Regional Learning and Skills Councils Regulations 2007 and shall come into force on the seventh day after the day on which they are made.

Regional council membership and appointment of members

2.—(1) A regional council is to consist of not less than 10 and not more than 16 members appointed by the Council with the approval of the Secretary of State.

(2) The Council must appoint one of the members as chairman with the approval of the Secretary of State.

(3) Members of a regional council may be (but need not be) members of the Council.

Tenure of members

3.—(1) A person is to hold and vacate office as a member or as chairman of a regional council in accordance with the terms of his appointment.

(2) On ceasing to be a member or chairman a person is eligible for re-appointment.

(3) A person may at any time by notice in writing to the Council resign his office as a member.

(**a**) 2000 c.21, section 18A (2) was inserted by section 2 of the Further Education and Training Act 2007 c.25
(**b**) Section 152 was amended by Schedule 1, paragraph 15 to the Further Education and Training Act 2007 c.25

(4) A person may at any time by notice in writing to the Council resign his office as chairman.

4.—(1) This regulation applies if the Council is satisfied that a member of a regional council—

(a) has been absent from meetings of the regional council for a period longer than 6 consecutive months without the regional council's permission, or

(b) is unable or unfit to carry out the functions of a member.

(2) The Council may by notice in writing to the member remove him from office, which shall then become vacant.

(3) A notice under this regulation requires the Secretary of State's approval.

5.—(1) This regulation applies if the Council is satisfied that the chairman of a regional council is unable or unfit to carry out the functions of chairman.

(2) The Council may by notice in writing to the chairman remove him from office as chairman, which shall then become vacant.

(3) A notice under this regulation requires the Secretary of State's approval.

Salaries, allowances etc

6.—(1) The Council must pay—

(a) to the chairman of a regional council such salary and such travelling, subsistence and other allowances as the Secretary of State may determine, and

(b) to the other members of a regional council such travelling, subsistence and other allowances as the Secretary of State may determine.

(2) The Council may pay to the members of a regional council other than the chairman such salary as the Secretary of State may determine.

Staff

7. The Council may appoint such of its employees as it thinks fit to act as the staff of a regional council.

Delegation of functions

8.—(1) A regional council may authorise the chairman to exercise such of its functions as it may determine.

(2) If the chairman is authorised to exercise a function he may authorise another member of the regional council to exercise it.

(3) A regional council may authorise, with the consent of the Council, a member of its staff to exercise such of its functions as it may determine.

Proceedings

9.—(1) A representative of the Secretary of State is entitled to attend and take part in any deliberations (but not in decisions) at meetings of the regional council.

(2) The regional council must provide the Secretary of State with such copies as he may require of any documents distributed to members of the regional council.

10. The validity of any proceedings of a regional council is not to be affected by a vacancy among the members or by any defect in the appointment of a member.

11. A regional council may regulate its own procedure.

Name
Minister of State
Date Department for Innovation Universities and Skills

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision about regional learning and skills councils established under section 18A(1) of the Learning and Skills Act 2000 for areas of England specified by the Secretary of State. Section 18A of the Learning and Skills Act 2000 was inserted by section 2 of the Further Education and Training Act 2007.

Regulation 2 makes provision about the membership of regional councils and the method of appointment of their members including the chairman.

Regulations 3, 4 and 5 make provision about the holding and vacation of office as a member or chairman of a regional council.

Regulation 6 makes provision about the payment by the Council of such salaries and such travelling, subsistence and other allowances to the chairman and other members of regional councils as determined by the Secretary of State.

Regulation 7 makes provision about the appointment of staff to regional councils.

Regulation 8 makes provision about the delegation of regional council functions.

Regulations 9, 10 and 11 make provision about regional council proceedings.

A full regulatory impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is available from the Department for Innovation Universities and Skills, Moorfoot, Sheffield S1 4PQ and is annexed to the Explanatory Memorandum which is available alongside the instrument on the OPSI website.

£3.00

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E1535 11/2007 171535 19585