

SCHEDULES

SCHEDULE 2

TRANSFER OF MANAGEMENT OF INSTITUTIONS OF FURTHER EDUCATION

Identification of properly, rights and liabilities for purposes of transfer

4.—(1) In respect of each institution of further education, the relevant board and the former governing body shall, not later than the transfer date, so far as practicable, arrive at such written agreements and execute such other instruments as are necessary or expedient—

- (a) to identify or define the land, other property, rights and liabilities to be transferred to and vest in the new governing body of the institution under paragraph 2; and
- (b) for making any arrangements such as are mentioned in paragraph 3(3) as will afford to the relevant board and the new governing body as against each other such rights and safeguards as they may require for the proper discharge of their respective functions.

(2) Any such agreement or instrument shall contain provision so far as it is expedient to enable the creation, variation or extinction of estates in land and for the granting of indemnities.

(3) The relevant board shall supply the former governing body of the institution with such information, including all documents relating to estates in land, as that body may require for the purposes of this Schedule.

(4) Where no such agreement is arrived at before the transfer date, the Department may prescribe a later date by which such agreement is to be arrived at; and an agreement arrived at in pursuance of this sub-paragraph shall be between the relevant board and the new governing body and, for the purposes of such an agreement, references in this Schedule to the former governing body shall be construed as references to the new governing body.