

SCHEDULES

SCHEDULE 2

TRANSFER OF MANAGEMENT OF INSTITUTIONS OF FURTHER EDUCATION

Third parties affected by transfer

7.—(1) Any transfer of land or other property, rights or liabilities from [^{F1}the Authority] to the new governing body of an institution of further education under paragraph 2 shall be binding on all other persons.

(2) Where any such transfer has an effect on the rights or liabilities of a third party—

(a) in the case of a transfer to which paragraph 4 applies, [^{F1}the Authority]; and

(b) in the case of a transfer to which paragraph 5 applies, the Department,

shall give notice in writing to the third party of that transfer.

(3) Where in consequence of any such transfer or anything done under this Schedule—

(a) the rights or liabilities of any third party which were enforceable against or by [^{F1}the Authority] become enforceable against or by the new governing body of one or more institutions of further education or partly against or by [^{F1}the Authority] and partly against or by the new governing body of one or more institutions of further education; and

(b) the value of any property or interest of that person is thereby diminished,

such compensation as may be just shall be paid to that person by [^{F1}the Authority] or the new governing body of the institution or institutions concerned.

(4) Any dispute as to whether, and if so how much, compensation is to be paid under subparagraph (3), or as to the person to or by whom it is to be paid, shall be referred to and determined by the Department.

F1 Words in Order substituted (1.4.2015) by [Education Act \(Northern Ireland\) 2014 \(c. 12\)](#), s. 7(2)(c), [Sch. 3 para. 1\(1\)\(a\)](#) (with [Sch. 2 para. 4\(3\)](#), [Sch. 3 para. 1\(2\)](#)); S.R. 2015/35, art. 2(b)

Changes to legislation:

There are currently no known outstanding effects for the The Further Education (Northern Ireland) Order 1997, Third parties affected by transfer.