



Education Reform Act 1988

1988 CHAPTER 40

PART II

HIGHER AND FURTHER EDUCATION

CHAPTER II

REORGANISATION OF PROVISION AND FUNDING OF HIGHER EDUCATION

The higher education corporations

126 Transfer of property, etc., to higher education corporations

- (1) In the case of a higher education corporation established under section 121 of this Act the transfer under this section shall take effect on such date as the Secretary of State may by order appoint in relation to the corporations so established.
- (2) In the case of a higher education corporation established under section 122 of this Act the transfer under this section shall take effect on such date as the Secretary of State may by order appoint in relation to that corporation.
- (3) Subject to subsection (5) below and section 198 of this Act, on the transfer date applicable in relation to a higher education corporation the property, rights and liabilities mentioned in subsection (4) below shall be transferred to, and by virtue of this Act vest in, that corporation.
- (4) The property, rights and liabilities referred to in subsection (3) above are—
 - (a) all land or other property which, immediately before that date, was property of any local education authority used or held for the purposes of the transferred institution; and
 - (b) all rights and liabilities of any such authority subsisting immediately before that date which were acquired or incurred for those purposes.
- (5) Subsection (3) above shall not apply to—

Status: *This is the original version (as it was originally enacted).*

- (a) rights and liabilities under any contract of employment;
 - (b) any liability of any such authority in respect of the principal of, or any interest on, any loan; or
 - (c) any liability of any such authority in respect of compensation for premature retirement of any person formerly employed by them.
- (6) In this section “the transferred institution” means, in relation to any higher education corporation, the institution the corporation is established to conduct.