



Education Reform Act 1988

1988 CHAPTER 40

PART IV

MISCELLANEOUS AND GENERAL

Establishment and functions of Education Assets Board

197 Education Assets Board.

- (1) There shall be established a body corporate to be known as the Education Assets Board.
- (2) The Board shall consist of a chairman and not less than two nor more than ten other members appointed by the Secretary of State.
- (3) In appointing the members of the Board the Secretary of State shall have regard to the desirability of including persons who appear to him to have experience of, and to have shown capacity in, property management, local government or education.
- (4) The principal functions of the Board are those conferred or imposed on them under sections 198 to 201 of and Schedule 10 to this Act [^{F1}and section 36 of and Schedule 5 to the Further and Higher Education Act 1992]; and the Board may also undertake such other activities as they consider it necessary or expedient to undertake for the purposes of or in connection with carrying out any of their functions.
- (5) The Secretary of State may make grants to the Board of such amounts and subject to such conditions as he may determine.
- (6) In exercising their functions under [^{F2}the Education Acts] the Board shall comply with any directions given to them by the Secretary of State.
- (7) Any [^{F3}local authority][^{F4}and any governing body of a maintained ^{F5}. . . school] shall give the Board such information as the Board may require for the purposes of the exercise of any of their functions under [^{F6}the Education Acts].

Status: Point in time view as at 05/05/2010.

Changes to legislation: Education Reform Act 1988, Section 197 is up to date with all changes known to be in force on or before 14 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- [^{F7}(7A) A [^{F3}local authority] shall give the Board, within such reasonable time as the Board may specify, such information as the Board may require for the purposes of the exercise of any of their functions under the Further and Higher Education Act 1992 or under section 126 or 130 of this Act.
- ^{F7}(7B) The governing body of any institution within the further education sector or the higher education sector shall give the Board, within such reasonable time as the Board may specify, such information as the Board may require for the purpose of the exercise of any of their functions under [^{F8}the Education Acts].]
- (8) The Board shall not be regarded as the servant or agent of the Crown or as enjoying any status, immunity or privilege of the Crown; and the Board's property shall not be regarded as property of, or property held on behalf of, the Crown.
- (9) Schedule 8 to this Act has effect with respect to the Board.
- ^{F9}[(10) In this section "the Education Acts" has the meaning given by section 578 of the Education Act 1996.]

Textual Amendments

- F1** Words in s. 197(4) inserted (6. 5. 1992) by Further and Higher Education Act 1992 (c. 13), s. 93(1), **Sch. 8 Pt. I para. 43(a)**; S.I. 1992/831, art. 2, **Sch. 1**.
- F2** Words in s. 197(6) substituted (1.11.1996) by 1996 c. 56, ss. 582(1), 583, **Sch. 1 Pt. I para. 74(2)** (with ss. 1(4), 561, 562, **Sch. 39**).
- F3** Words in Act substituted (5.5.2010) by The Local Education Authorities and Children's Services Authorities (Integration of Functions) Order 2010 (S.I. 2010/1158), **Sch. 2 para. 4(2)**
- F4** Words in s. 197(7) inserted (1.1.1994) by 1993 c. 35, s. 47(5); S.I. 1993/3106, art. 4, **Sch. 1** (as amended by S.I. 1994/436, art. 2); (which insertion is continued after the repeal of 1993 c. 35 by 1996 c. 56, ss. 582(2)(3), 583, **Sch. 38 Pt. I** (with ss. 1(4), 561, 562, **Sch. 39**)).
- F5** Words in s. 197(7) repealed (1.9.1999) by 1998 c. 31, s. 140(3), **Sch.31** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch. 1**.
- F6** Words in s. 197(7) substituted (1.11.1996) by virtue of 1996 c. 56, ss. 582(1), 583, **Sch. 37 Pt. I para. 74(3)** (with ss. 1(4), 561, 562, **Sch. 39**).
- F7** S. 197(7A)(7B) inserted (6. 5. 1992) by Further and Higher Education Act 1992 (c. 13), s. 93(1), **Sch. 8 Pt. I para. 43(c)**; S.I. 1992/831, art. 2, **Sch. 1**.
- F8** Words in s. 197(7B) substituted (1.11.1996) by 1996 c. 56, ss. 582(1), 583, **Sch. 37 Pt. I para. 74(4)** (with ss. 1(4), 561, 562, **Sch. 39**).
- F9** S. 197(10) added (1.11.1996) by 1996 c. 56, ss. 582(1), 583, **Sch. 37 Pt. I para. 74(5)** (with ss. 1(4), 561, 562, **Sch. 39**).

Modifications etc. (not altering text)

- C1** Power to amend s. 197 conferred (1.2.1999) by 1998 c. 31, s. 137(4)(a) (with ss. 138(9), 144(6)); S.I. 1999/120, art. 2(1), **Sch. 1**.
- C2** S. 197(7) applied (with modifications) (1.4.1994) by S.I. 1994/653, reg. 42(1), **Sch. Pt. I**.
- C3** S. 197(7) applied (with modifications) (9.5.1994) by S.I. 1994/1084, reg. 8(1), **Sch. 2 Pt. I**.
- C4** S. 197(7B) modified (1.4.1993) by S.I. 1993/563, art. 2(b)(ii), **Sch. 2**

Status:

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