



Further and Higher Education Act 1992

1992 CHAPTER 13

PART I

FURTHER EDUCATION

CHAPTER II

INSTITUTIONS WITHIN THE FURTHER EDUCATION SECTOR

The further education corporations

16 Orders incorporating further institutions.

- (1) The Secretary of State may by order make provision for the establishment of a body corporate—
 - (a) for the purpose of establishing and conducting an educational institution, or
 - (b) for the purpose of conducting an existing educational institution,but shall not make an order in respect of an existing institution without the consent of the governing body.
- [^{F1}(2) Subsection (1) above does not apply to an institution which is maintained by a [^{F2}local authority].
- (3) The Secretary of State may by order make provision for the establishment of a body corporate for the purpose of conducting an institution which—
 - (a) is maintained by a [^{F2}local authority], and
 - (b) in his opinion, is principally concerned with the provision of full-time education suitable to the requirements of persons over compulsory school age who have not attained the age of nineteen years.]
- (4) The name given in the order under this section as the name of the institution shall be the initial name of the body corporate.

Changes to legislation: Further and Higher Education Act 1992, Section 16 is up to date with all changes known to be in force on or before 30 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) View outstanding changes

- (5) An order under this section shall provide for the institution to be conducted by the body corporate as from the operative date.

Textual Amendments

- F1** S. 16(2)(3) substituted (1.10.2000 for E. and 1.4.2001 for W.) by 2000 c. 21, s. 111(1); S.I. 2000/2559, art. 2(1), **Sch. Pt. I**; S.I. 2001/1274, art. 2, **Sch. Pt. I**
- F2** 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. 5(2)**

Modifications etc. (not altering text)

- C1** S. 16(1) modified (1.4.1993) by S.I. 1993/563, art. 2, **Sch. 1**

Commencement Information

- I1** S. 16 wholly in force at 30.9.1992 see s. 94(3) and S.I. 1992/831, art. 2, **Sch. 2**

Changes to legislation:

Further and Higher Education Act 1992, Section 16 is up to date with all changes known to be in force on or before 30 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.

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Changes and effects yet to be applied to :

- s. 16(1) words substituted by [2007 c. 25 s. 14\(2\)](#)
- s. 16(3) words substituted by [2007 c. 25 s. 14\(3\)\(a\)](#)
- s. 16(3)(b) words substituted by [2007 c. 25 s. 14\(3\)\(b\)](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 16(6) inserted by [2007 c. 25 s. 14\(4\)](#)
- s. 17(2)(aa) inserted by [2007 c. 25 s. 14\(5\)\(b\)](#)
- s. 27(3A)(3B) inserted by [2007 c. 25 s. 15\(4\)](#)
- s. 27(9) inserted by [2007 c. 25 s. 15\(7\)](#)
- s. 51(1)-(2A) substituted for s. 51(1)(2) by [2007 c. 25 s. 16\(2\)](#)
- s. 76(8)(9) inserted by [2017 c. 29 s. 52\(4\)](#)
- s. 85D inserted by [2009 c. 22 s. 247](#)
- s. 85D(7) words inserted by [S.I. 2016/413 reg. 140](#) (This amendment comes into force on the day that section 85D of the Further and Higher Education Act 1992 (c. 13) comes into force. That provision is still prospective.)