



Further and Higher Education Act 1992

1992 CHAPTER 13

PART I

FURTHER EDUCATION

CHAPTER II

INSTITUTIONS WITHIN THE FURTHER EDUCATION SECTOR

Miscellaneous

[^{F1}51A Duty to provide for named individuals: England

- (1) This section applies to an institution in England within the further education sector which provides education suitable to the requirements of persons over compulsory school age but under the age of 19.
- (2) A [^{F2}local authority] may by notice given to the governing body of such an institution—
 - (a) require them to provide specified individuals with such education falling within subsection (1) as is appropriate to the individuals' abilities and aptitudes;
 - (b) withdraw such a requirement.
- (3) A [^{F2}local authority] may specify an individual in a notice under subsection (2) only if the individual—
 - (a) is in the authority's area, and
 - (b) is over compulsory school age but under the age of 19.
- (4) Before giving a notice under subsection (2) imposing a requirement on a governing body, a [^{F2}local authority] must consult—
 - (a) the governing body, and
 - (b) such other persons as the authority think appropriate.

Changes to legislation: *Further and Higher Education Act 1992, Section 51A is up to date with all changes known to be in force on or before 14 April 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) The governing body of an institution within subsection (1) must secure compliance with a requirement that has been imposed under subsection (2) and has not been withdrawn.
- (6) In deciding whether to require a particular institution to provide education to a particular individual under subsection (2) a [^{F2}local authority] in England must have regard to any guidance given from time to time by the Secretary of State.]

Textual Amendments

- F1** S. 51A inserted (1.4.2010) by Apprenticeships, Skills, Children and Learning Act 2009 (c. 22), **ss. 44(1)**, 269(4); S.I. 2010/303, art. 3, Sch. 2
- 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. 51A functions made exercisable concurrently (23.12.2016) by The Greater Manchester Combined Authority (Functions and Amendment) Order 2016 (S.I. 2016/1267), arts. 1(2), **12**
- C2** S. 51A functions made exercisable concurrently (2.11.2018) by The Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority (Establishment and Functions) Order 2018 (S.I. 2018/1133), arts. 1, **18** (with art. 28)
- C3** S. 51A: functions made exercisable concurrently (28.7.2020) by The Barnsley, Doncaster, Rotherham and Sheffield Combined Authority (Functions and Amendment) Order 2020 (S.I. 2020/806), arts. 1, **5**
- C4** S. 51A: functions made exercisable concurrently (30.1.2021) by The West Yorkshire Combined Authority (Election of Mayor and Functions) Order 2021 (S.I. 2021/112), arts. 1(2), **5**

Changes to legislation:

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Changes and effects yet to be applied to :

- s. 51A functions made exercisable concurrently by [S.I. 2024/402 art. 33](#)

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.)