



Further and Higher Education Act 1992

1992 CHAPTER 13

PART III

MISCELLANEOUS AND GENERAL

91 Interpretation of Education Acts.

(1) This section applies for the interpretation of the Education Acts.

^{F1}(2)

(3) References to institutions within the further education sector are to—

- (a) institutions conducted by further education corporations, and
- (b) designated institutions for the purposes of Part I of this Act (defined in section 28(4) of this Act), ^{F2}and
- (c) sixth form colleges,]

and references to institutions outside the further education sector are to be read accordingly.

^{F3}(3A) References to sixth form colleges are to institutions conducted by sixth form college corporations.]

(4) References to a higher education funding council are to ^{F4}the Higher Education Funding Council for Wales.]

(5) References to institutions within the higher education sector are to—

^{F5}(za) registered higher education providers of a description prescribed by regulations made for the purposes of section 39(1) of the Higher Education and Research Act 2017,]

- (a) universities receiving financial support under section 65 of this Act,
- ^{F6}(aa) universities that are regulated institutions,]
- (b) institutions ^{F7}in Wales] conducted by higher education corporations, and
- (c) designated institutions for the purposes of Part II of this Act (defined in section 72(3) of this Act),

Changes to legislation: Further and Higher Education Act 1992, Section 91 is up to date with all changes known to be in force on or before 17 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

and references to institutions outside the higher education sector are to be read accordingly.

[^{F8}(5ZA) For the purposes of subsection (5)(b), the reference to institutions in Wales is to be read in accordance with section 62(7).]

[^{F9}(5A) For the purposes of subsection (5)(aa), a regulated institution is an institution to which an approved plan, within the meaning given in section 7 of the Higher Education (Wales) Act 2015, relates.]

(6) References, in relation to a further education corporation or higher education corporation, to the institution—

- (a) in relation to any time before the operative date for the purposes of Part I of this Act (defined in section 17 of this Act) or, as the case may be, the transfer date for the purposes of the ^{M1}Education Reform Act 1988 (defined in section 123 of that Act), are to the institution the corporation is established to conduct, and
- (b) in relation to any later time or to any corporation which is a further education corporation by virtue of section 47 of this Act or a higher education corporation [^{F10}by virtue of section 122ZA or 122A] of that Act, are to any institution for the time being conducted by the corporation in the exercise of their powers under this or that Act.

Textual Amendments

- F1** S. 91(2) repealed (1.4.2001) by 2000 c. 21, ss. 149, 153, Sch. 9 para. 42, **Sch. 11**; S.I. 2001/654, art. 2, **Sch. Pt. II** (with transitional provisions in art. 3)
- F2** S. 91(3)(c) and word inserted (12.1.2010) by Apprenticeships, Skills, Children and Learning Act 2009 (c. 22), s. 269(4), **Sch. 8 para. 13(2)**; S.I. 2009/3317, art. 2, Sch.
- F3** S. 91(3A) inserted (12.1.2010) by Apprenticeships, Skills, Children and Learning Act 2009 (c. 22), s. 269(4), **Sch. 8 para. 13(3)**; S.I. 2009/3317, art. 2, Sch.
- F4** Words in s. 91(4) substituted (1.4.2018) by Higher Education and Research Act 2017 (c. 29), s. 124(5), **Sch. 11 para. 25**; S.I. 2018/241, reg. 2(s) (with transitional and savings provisions in S.I. 2018/245, regs. 2, 3, 12)
- F5** S. 91(5)(za) inserted (1.8.2019) by The Higher Education and Research Act 2017 (Further Implementation etc.) Regulations 2019 (S.I. 2019/1027), regs. 1, **4(a)(i)**
- F6** S. 91(5)(aa) inserted (1.8.2017) by Higher Education (Wales) Act 2015 (anaw 1), s. 59(2), **Sch. para. 4(2)**; S.I. 2017/239, art. 2
- F7** Words in s. 91(5)(b) inserted (1.8.2019) by The Higher Education and Research Act 2017 (Further Implementation etc.) Regulations 2019 (S.I. 2019/1027), regs. 1, **4(a)(ii)** (with reg. 45)
- F8** S. 91(5ZA) inserted (1.8.2019) by The Higher Education and Research Act 2017 (Further Implementation etc.) Regulations 2019 (S.I. 2019/1027), regs. 1, **4(b)**
- F9** S. 91(5A) inserted (1.8.2017) by Higher Education (Wales) Act 2015 (anaw 1), s. 59(2), **Sch. para. 4(3)**; S.I. 2017/239, art. 2
- F10** Words in s. 91(6)(b) substituted (1.8.2019) by Higher Education and Research Act 2017 (c. 29), s. 124(5), **Sch. 8 para. 26**; S.I. 2018/1226, reg. 4(o)

Modifications etc. (not altering text)

- C1** S. 91 applied (30.6.1999) by 1991 c. 56, s. 1(2), **Sch. 4A para. 11(2)** (as inserted (30.6.1999) by 1999 c. 9, ss. 1(2), 17(2), **Sch. 1**)
- C2** S. 91(3)(a)(b) applied (1.9.1994) by 1994 c. 23, ss. 8(2), 31, 101(1), **Sch. 9 Pt. II** Group 6 Note (1)(c) (i) (with Sch. 13 para. 2)
- C3** S. 91(5) applied by 1973 c. 50, s. 8(4) (as substituted (1.4.1994 in relation to England and Scotland and 1.4.1995 for all other purposes) by 1993 c. 19, s. 45; S.I. 1993/2503, art. 2(3)(a)(b), **Sch. 3**)

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C4 S. 91(5)(b)(c) applied (1.9.1994) by 1994 c. 23, ss. 8(2), 31, 101(1), **Sch. 9 Pt. II** Group 6 Note (1)(c) (i) (with Sch. 13 para. 2)

Commencement Information

I1 S. 91 wholly in force at 6.5.1992 see s. 94(3) and S.I. 1992/831, art. 2, **Sch. 1**

Marginal Citations

M1 1988 c. 40.

Changes to legislation:

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Changes and effects yet to be applied to :

- s. 91(4) omitted by [2022 asc 1 Sch. 4 para. 6\(5\)\(a\)](#)
- s. 91(5)(a) substituted for s. 91(5)(a)(aa) by [2022 asc 1 Sch. 4 para. 6\(5\)\(b\)\(i\)](#)
- s. 91(5)(b) words inserted by [2022 asc 1 Sch. 4 para. 6\(5\)\(b\)\(ii\)](#)
- s. 91(5)(c) words inserted by [2022 asc 1 Sch. 4 para. 6\(5\)\(b\)\(iii\)](#)
- s. 91(5A) omitted by [2022 asc 1 Sch. 4 para. 6\(5\)\(c\)](#)

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.)