



# Further and Higher Education (Scotland) Act 1992

## 1992 CHAPTER 37

### PART I

#### FURTHER EDUCATION

#### CHAPTER IV

##### TRANSITORY AND TRANSITIONAL PROVISIONS

##### *Property and contracts*

#### **29 Control of disposal and removal of other property.**

- (1) This section applies to all property to which section 28 of this Act does not apply which, at any time during the period beginning on 22nd March 1991 and ending on the first transfer date, was owned, held, used or obtained by an education authority wholly or partly for or in connection with the purposes of a college such as is mentioned in that section.
- (2) Subject to subsections (3) and (5) below, an education authority shall not, without the prior consent, given in writing, of the Secretary of State—
  - (a) dispose of or enter into any agreement or unilateral obligation for the disposal of; or
  - (b) remove or cause to be removed or enter into any agreement or unilateral obligation for the removal from any premises owned, held, used or obtained by them wholly or partly for or in connection with the purposes of such a college of,any property to which this section applies.

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**Changes to legislation:** There are currently no known outstanding effects for the Further and Higher Education (Scotland) Act 1992, Section 29. (See end of Document for details)

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- (3) The consent of the Secretary of State is not required for the disposal or removal of any property in pursuance of any requirement of an order of any court, anything in any enactment (including an enactment contained in a subordinate instrument) or any rule of law.
- (4) Any consent for the purposes of this section may be given—
- (a) either in respect of a particular disposal or in respect of disposals of any class or description; and
  - (b) either unconditionally or subject to conditions.
- (5) Nothing in this section shall affect anything required to be done by an education authority in pursuance of an obligation entered into by them before 22nd March 1991 and, if the obligation is a unilateral obligation, notified by them to the beneficiary before that date.

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#### Commencement Information

**II** [S. 29](#) wholly in force at 16.5.1992 see [s. 63\(2\)](#) and [S.I. 1992/817](#), art. 3(2), [Sch. 1](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Further and Higher Education (Scotland) Act 1992, Section 29.