



Technical and Further Education Act 2017

2017 CHAPTER 19

PART 2

FURTHER EDUCATION BODIES: INSOLVENCY ETC

CHAPTER 4

FURTHER EDUCATION BODIES: SPECIAL ADMINISTRATION

Financial support for bodies in education administration

28 Indemnities where education administration order is made

- (1) If an education administration order has been made in relation to a further education body, the appropriate national authority may agree to indemnify persons in respect of one or both of the following—
 - (a) liabilities incurred in connection with the carrying out of functions by the education administrator, and
 - (b) loss or damage sustained in that connection.
- (2) The agreement may be made in whatever manner, and on whatever terms, the appropriate national authority considers appropriate.
- (3) As soon as possible after agreeing to indemnify persons under this section, the appropriate national authority must lay a statement of the agreement before Parliament or the National Assembly for Wales (as appropriate).
- (4) For repayment of sums paid by the appropriate national authority in consequence of an indemnity agreed to under this section, see section 29.
- (5) The power of the appropriate national authority to agree to indemnify persons—
 - (a) is confined to a power to agree to indemnify persons in respect of liabilities, loss and damage incurred or sustained by them as relevant persons, but

Changes to legislation: There are currently no known outstanding effects for the
Technical and Further Education Act 2017, Section 28. (See end of Document for details)

- (b) includes power to agree to indemnify persons (whether or not they are identified or identifiable at the time of the agreement) who subsequently become relevant persons.
- (6) The following are relevant persons for the purposes of this section—
- (a) the education administrator;
 - (b) an employee of the education administrator;
 - (c) a partner or employee of a firm of which the education administrator is a partner or employee;
 - (d) a partner of a firm of which the education administrator was an employee or partner at a time when the order was in force;
 - (e) a body corporate which is the employer of the education administrator;
 - (f) an officer, employee or member of such a body corporate;
 - (g) a Scottish firm which is the employer of the education administrator or of which the education administrator is a partner.
- (7) For the purposes of subsection (6)—
- (a) references to the education administrator are to be read, where two or more persons are appointed as the education administrator, as references to any one or more of them, and
 - (b) references to a firm of which a person was a partner or employee at a particular time include a firm which holds itself out to be the successor of a firm of which the person was a partner or employee at that time.

Commencement Information

II S. 28 in force at 31.1.2019 by S.I. 2018/1161, reg. 3(a)

Changes to legislation:

There are currently no known outstanding effects for the Technical and Further Education Act 2017, Section 28.