

*This Statutory Instrument has been made partly in consequence of a defect in S.I. 1992/831 (C.31) and is being issued free of charge to all known recipients of that Statutory Instrument.*

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STATUTORY INSTRUMENTS

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**1992 No. 2041 (C.71)**

**EDUCATION, ENGLAND AND WALES**

**The Further and Higher Education Act 1992 (Commencement No. 1 and Transitional Provisions) (Amendment) Order 1992**

*Made - - - - 25th August 1992*

In exercise of the powers conferred by sections 89(4) and 94(3) of the Further and Higher Education Act 1992<sup>(1)</sup>, the Secretary of State for Education hereby makes the following Order:

**1.** This Order may be cited as the Further and Higher Education Act 1992 (Commencement No. 1 and Transitional Provisions) (Amendment) Order 1992.

**2.** The Further and Higher Education Act 1992 (Commencement No. 1 and Transitional Provisions) Order 1992<sup>(2)</sup> shall be amended by—

(a) the addition in Schedule 2 of the following words after the words “Section 26” in column 1 of that Schedule (transfer of staff to further education corporations)—

“except in respect of persons employed by a local authority to work solely at the institution the corporation is established to conduct and who are so employed in connection with an arrangement for the supply by that local authority of goods or services for the purposes of that institution in pursuance of a bid prepared under section 7 of the Local Government Act 1988”<sup>(3)</sup>; and

(b) the substitution in Schedule 4 of the words “Section 93(2)” for the words “Section 93(1)” in the second place where they occur.

25th August 1992

*Nigel Forman*  
Parliamentary Under Secretary of State,  
Department for Education

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(1) 1992 c. 13.  
(2) S.I. 1992/831 (C.31).  
(3) 1988 c. 9.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order amends the Further and Higher Education Act 1992 (Commencement No. 1 and Transitional Provisions) Order 1992 so that, on 30 September 1992, section 26 of the Further and Higher Education Act 1992, which relates to the transfer of staff to further education corporations, comes into force in part only. It does not come into force in relation to staff employed by the local authority to work solely at the institution in question under arrangements for the supply of goods and services by the local authority in pursuance of a bid prepared under section 7 of the Local Government Act 1988.

This Order also replaces an incorrect reference, in Schedule 4 to that earlier Order, to subsection (1) of section 93 by the correct reference to subsection (2) of that section.

## **NOTE AS TO EARLIER COMMENCEMENT ORDERS**

*(This note is not part of the Order)*

With the exceptions set out below all other provisions of the Further and Higher Education Act 1992 have already been brought into force, or will be brought into force, by the Further and Higher Education Act 1992 (Commencement No. 1 and Transitional Provisions) Order 1992.

The following provisions have not been or will not be brought into force by that Order—

- (a) section 9(4);
- (b) sections 44 and 45 as respects institutions which before they became institutions within the further education sector were not schools maintained by local education authorities or grant-maintained schools;
- (c) section 55(1) to (3) as respects Wales;
- (d) section 55(7)(b); and
- (e) Schedule 8, paragraph 10 as respects Wales.