



Education Reform Act 1988

1988 CHAPTER 40

PART II

HIGHER AND FURTHER EDUCATION

CHAPTER II

REORGANISATION OF PROVISION AND FUNDING OF HIGHER EDUCATION

The higher education corporations

[^{F1}124C Initial and transitional arrangements [^{F2}: Wales].

- (1) The Secretary of State shall be the appointing authority in relation to the appointment of the first members of a corporation [^{F3}in Wales] established on or after the appointed day and, in determining the number of members to appoint within each variable category of members, he shall secure that at least half of all the members of the corporation as first constituted are independent members.
- (2) In subsection (1) above “variable category of members” and “independent members” have the same meaning as in Schedule 7A to this Act.
- (3) The following provisions apply where an instrument of government is made under section 124A of this Act for a higher education corporation [^{F4}in Wales] with respect to which Schedule 7 to this Act has effect.
- (4) The instrument shall apply, subject to subsection (5) below, as if the persons who, immediately before its coming into effect, were the members of the corporation had been appointed in accordance with the instrument for the residue of the term of their then subsisting appointment.
- (5) Any local authority nominee, teacher nominee, general staff nominee or student nominee (within the meaning, in each case, of Schedule 7 to this Act) shall cease to hold office.]

Changes to legislation: *Education Reform Act 1988, Section 124C is up to date with all changes known to be in force on or before 18 March 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*

Textual Amendments

- F1** Ss. 124A-124D inserted (6.5.1992) by [Further and Higher Education Act 1992 \(c. 13\), s. 71\(1\)](#); S.I. 1992/831, art. 2, [Sch. 1](#)
- F2** Word in s. 124C heading inserted (1.8.2019) by [Higher Education and Research Act 2017 \(c. 29\), s. 124\(5\)](#), [Sch. 8 para. 11\(a\)](#); S.I. 2018/1226, reg. 4(o)
- F3** Words in s. 124C(1) inserted (1.8.2019) by [Higher Education and Research Act 2017 \(c. 29\), s. 124\(5\)](#), [Sch. 8 para. 11\(b\)](#); S.I. 2018/1226, reg. 4(o)
- F4** Words in s. 124C(3) inserted (1.8.2019) by [Higher Education and Research Act 2017 \(c. 29\), s. 124\(5\)](#), [Sch. 8 para. 11\(c\)](#); S.I. 2018/1226, reg. 4(o)

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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. 120(4A) inserted by [2022 asc 1 Sch. 4 para. 5\(2\)](#)
- s. 124A(9A)(9B) inserted by [2022 asc 1 s. 137\(3\)](#)
- s. 125(8)(9) inserted by [2022 asc 1 s. 138\(2\)](#)
- s. 128(1)(b)(iib) omitted by [2011 c. 21 Sch. 16 para. 8](#)
- s. 128(1)(b)(iia) omitted by [2015 c. 20 Sch. 14 para. 35](#)
- s. 128(1A)-(1C) inserted by [2022 asc 1 s. 139\(3\)](#)
- s. 128(7)-(10) inserted by [2022 asc 1 s. 139\(6\)](#)
- s. 232(4ZA)-(4ZC) inserted by [2022 asc 1 s. 138\(3\)\(b\)](#)