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STATUTORY INSTRUMENTS

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**2010 No. 789**

**EDUCATION, ENGLAND**

**The Education (Publication of Draft Proposals and Orders) (Further Education Corporations) (England) (Amendment) Regulations 2010**

<i>Made</i>	- - - -	<i>15th March 2010</i>
<i>Laid before Parliament</i>		<i>16th March 2010</i>
<i>Coming into force</i>	- -	<i>6th April 2010</i>

The Secretary of State for Business, Innovation and Skills makes the following Regulations in exercise of the powers conferred by sections 51 and 89(4) of the Further and Higher Education Act 1992<sup>(1)</sup>.

**Citation, commencement and application**

1.—(1) These Regulations may be cited as the Education (Publication of Draft Proposals and Orders) (Further Education Corporations) (England) (Amendment) Regulations 2010 and come into force on 6th April 2010.

(2) These Regulations apply in relation to England.

**Amendments to the Education (Publication of Draft Proposals and Orders) (Further Education Corporations) (England) Regulations 2001**

2. The Education (Publication of Draft Proposals and Orders) (Further Education Corporations) (England) Regulations 2001<sup>(2)</sup> are amended as set out in regulations 3 to 6.

3. In regulation 1(2), for the definition of “the Council”, substitute ““the CE of Skills Funding” means the Chief Executive of Skills Funding”.

4. In regulations 4, 5, 6 and 7, for “the Council”, wherever those words appear, substitute “the CE of Skills Funding”.

5. In regulation 4—

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(1) 1992 c.13; section 51 was amended by section 111 of the Learning and Skills Act 2000 (c.21); by virtue of S.I. 1999/672 the powers conferred by these sections are exercisable by the Secretary of State only in relation to England.  
(2) S.I. 2001/782.

- (a) in paragraph (2)(c), after “that institution” insert “or, if there is more than one main entrance, all of them”;
  - (b) at the end of paragraph (4)(b) omit “and” and for paragraph (4)(c) substitute—
    - “(c) the Young People’s Learning Agency for England;
    - (d) the Member of Parliament in whose constituency the institution is situated or is proposed to be situated;
    - (e) any other Member of Parliament whose constituents it appears to the CE of Skills Funding are likely to be affected by the proposal; and
    - (f) any other person who appears to the CE of Skills Funding to have an interest.”.
6. In regulation 6—
- (a) in paragraph (1)(b)(iii) after “that institution” insert “or, if there is more than one main entrance, all of them”;
  - (b) at the end of paragraph (3)(b) omit “and” and for paragraph (3)(c) substitute—
    - “(c) the Young People’s Learning Agency for England; and
    - (d) any other person who appears to the Secretary of State to have an interest.”.

15th March 2010

*Kevin Brennan*  
Minister for Further Education, Skills,  
Apprenticeships and Consumer Affairs  
Department for Business, Innovation and Skills

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## EXPLANATORY NOTE

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

These Regulations amend the Education (Publication of Draft Proposals and Orders) (Further Education Corporations) (England) Regulations 2001 (“the 2001 Regulations”), as a consequence of the provisions of the Apprenticeships, Skills, Children and Learning Act 2009, to replace the references to the Learning and Skills Council with references to the Chief Executive of Skills Funding, and to add references to the Young People’s Learning Agency for England.

In addition, Regulations 4 and 6 of the 2001 Regulations are amended to make it clear that any draft proposal or draft order should be posted at all of the main entrances of an institution, if there is more than one main entrance. Regulation 4 of the 2001 Regulations is also amended to require a draft proposal or order to be sent to relevant Members of Parliament whose constituents may be affected by the proposal or order.

An Impact Assessment has not been prepared for this instrument as it has no wider impact on the costs of business, charities or voluntary bodies. The impact on the public sector is minimal.