



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

125 Articles of government [^{F1}: higher education corporations in Wales].

- (1) Any institution conducted by a higher education corporation [^{F2}in Wales] shall be conducted in accordance with articles of government, to be made by the corporation with the approval of [^{F3}the Privy Council].
- (2) The articles of government—
 - (a) shall determine the functions to be exercised in relation to the institution by the board of governors of the institution, the principal of the institution and the academic board of the institution; and
 - (b) may regulate the constitution and functions of committees of the corporation and of the academic board of the institution and provide for the delegation of functions of the board of governors and the academic board to such committees, to the chairman of the corporation or to the principal.
- (3) The articles of government shall also make provision with respect to the procedure for meetings of the board of governors, of the academic board and of committees of the corporation and the procedure in relation to the appointment of members of the corporation (including in either case quorum and proxies), and may make provision with respect to—
 - (a) procedures for the appointment, promotion, suspension and dismissal of staff;
 - (b) procedures for the admission, suspension and expulsion of students; and

Changes to legislation: Education Reform Act 1988, Section 125 is up to date with all changes known to be in force on or before 21 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

- (c) the appointment and functions of a clerk to the board of governors.
- (4) The articles of government may also make provision authorising the board of governors to make rules or bye-laws for the government and conduct of the institution, including in particular rules or bye-laws with respect to—
 - (a) the conduct of students and staff or either of them; and
 - (b) any such procedures as are mentioned in subsection (3)(a) or (b) above.
- (5) Articles of government made under this section may be varied or revoked by subsequent articles made by the corporation with the approval of [^{F3}the Privy Council].
- (6) [^{F3}The Privy Council] may by a direction under this section require higher education corporations [^{F4}in Wales], any class of such corporations specified in the direction or any particular higher education corporation [^{F5}in Wales] so specified—
 - (a) to amend their articles of government; or
 - (b) to secure that any rules or bye-laws made in pursuance of their articles of government are amended by the board of governors;
 in any manner so specified.
- (7) Before giving a direction under this section, [^{F3}the Privy Council] shall consult the board of governors of the higher education corporation or (as the case may be) of each higher education corporation to which the direction applies.

Textual Amendments

- F1** Words in s. 125 heading inserted (1.8.2019) by [Higher Education and Research Act 2017 \(c. 29\)](#), s. 124(5), [Sch. 8 para. 13\(a\)](#); S.I. 2018/1226, reg. 4(o)
- F2** Words in s. 125(1) inserted (1.8.2019) by [Higher Education and Research Act 2017 \(c. 29\)](#), s. 124(5), [Sch. 8 para. 13\(b\)](#); S.I. 2018/1226, reg. 4(o)
- F3** Words in s. 125(1)(5)-(7) substituted (6.5.1992) by [Further and Higher Education Act 1992 \(c. 13\)](#), s. 71(2); S.I. 1992/831, art. 2, [Sch. 1](#)
- F4** Words in s. 125(6) inserted (1.8.2019) by [Higher Education and Research Act 2017 \(c. 29\)](#), s. 124(5), [Sch. 8 para. 13\(c\)\(i\)](#); S.I. 2018/1226, reg. 4(o)
- F5** Words in s. 125(6) inserted (1.8.2019) by [Higher Education and Research Act 2017 \(c. 29\)](#), s. 124(5), [Sch. 8 para. 13\(c\)\(ii\)](#); 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\(3\)\(b\)](#)