Further and Higher Education Act 1992

CHAPTER 13

FURTHER AND HIGHER EDUCATION ACT 1992

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### SCHEDULES

#### SCHEDULE 1 — The Further and Higher Education Funding Councils

**Supplementary powers**

1. (1) Subject to sub-paragraph (2) below, the council may do...

**Chief officer**

2. (1) One of the members of the council shall be...

**Tenure of members of councils**

3. (1) A person shall hold and vacate office as a...
4. If the Secretary of State is satisfied that a member...

**Salaries, allowances and pensions**

5. (1) The council— (a) shall pay to their members such...

**House of Commons disqualification**

6. In Part III of Schedule 1 to the House of...

**Staff**

7. (1) The council may appoint such employees as they think...

**Committees**

8. (1) The council may establish a committee for any purpose....

**Further Education Funding Council for England: regional committees**

9. (1) There shall be established for each region of England...

**Delegation of Functions**

10. The council may authorise the chairman, the chief officer or...

**Proceedings**

11. Without prejudice to any other rights the Secretary of State...
12. The validity of any proceedings of the council or of...
13. Subject to the preceding provisions of this Schedule, the council...

**Application of seal and proof of instruments**

14. The application of the seal of the council shall be...
15. Every document purporting to be an instrument made or issued...

**Accounts**

16. (1) It shall be the duty of the council—
Further and Higher Education Act 1992 (c. 13)

Status of council

17  The council shall not be regarded as the servant or...

SCHEDULE 2 — Courses of Further Education

The descriptions of courses of further education referred to in...

SCHEDULE 3 — Calculation of Enrolment Numbers

Enrolment numbers

1  (1) The enrolment number for any institution at any time...

Table for calculating enrolment numbers for sandwich courses, etc.

2  The following table applies for the purpose of determining the...

Interpretation of paragraphs 1 and 2

3  (1) For the purposes of paragraph 1(1)(a) and (2)(a) above...

Amendment of paragraphs 1 to 3

4  The Secretary of State may by order amend paragraphs 1...

Exclusion of non-EEC students

5  For the purpose of calculating under those paragraphs any enrolment...

SCHEDULE 4 — INSTRUMENTS AND ARTICLES OF GOVERNMENT

1  This Schedule applies in relation to— (a) a further education...

2  In this Schedule— “ the body ” means— in the...

3  (1) An instrument must provide for— (a) the number of...

4  (1) An instrument must make provision about the procedures of...

5  (1) An instrument must make provision for there to be—...

6  An instrument must require the body to publish arrangements for...

7  In the case of an institution in Wales, an instrument...

8  An instrument must permit the body to change their name...

9  An instrument must specify how the body may modify or...

10  An instrument must prohibit the body from making changes to...

11  An instrument must provide for— (a) a copy of the...

12  An instrument must provide for the authentication of the application...

SCHEDULE 5 — Identification and apportionment, etc., of property

Division and apportionment of property et cetera et cetera.

1  (1) Any property, rights and liabilities of a transferor authority...

Identification of property, rights and liabilities

2  (1) It shall be the duty of the transferor and...

3  (1) The Education Assets Board may, in the case of...

4  (1) The transferor or transferee, if dissatisfied with a determination...

5  (1) Regulations may prescribe the procedure to be followed in...
Documents of title

6 (1) Where a transfer to which this Schedule applies relates...

Third parties affected by vesting provisions

7 (1) Without prejudice to the generality of paragraphs 2 to...

Delivery of documents to transferee

8 When it appears to the Education Assets Board, in the...

SCHEDULE 5A —

Interpretation

1 In this Schedule— “ the participating bodies ”, in relation...

Approval by the Secretary of State

2 (1) An application for approval of an arrangement by the...

Termination of arrangement etc

3 (1) Subject to any provision of the arrangement to the...

Variation of arrangement

4 (1) The parties to a partnership arrangement to which section...

Interpretation of existing enactments

5 (1) Regulations may provide— (a) for any reference in an...

SCHEDULE 6 — New Schedule 7A to the Education Reform Act 1988

SCHEDULE 7 — Transfers: supplementary provisions

Proof of title by certificate

1 The Education Assets Board may issue a certificate stating that...

Construction of agreements

2 (1) Where any rights or liabilities transferred by virtue of...
3 (1) Without prejudice to the generality of paragraph 2 above,...
4 The provisions of paragraphs 2 and 3 above shall have...

SCHEDULE 8 — Minor and Consequential Amendments

Part I — AMENDMENTS OF THE EDUCATION ACTS

The Education Act 1944 (c. 31)

1 Minor and Consequential Amendments
2 Minor and Consequential Amendments
3 Minor and Consequential Amendments
4 Minor and Consequential Amendments
5 Minor and Consequential Amendments
Changes to legislation: Further and Higher Education Act 1992 is up to date with all changes known to be in force on or before 13 September 2019. 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

6 Minor and Consequential Amendments
7 Minor and Consequential Amendments
8 Minor and Consequential Amendments
9 Minor and Consequential Amendments
10 Minor and Consequential Amendments
11 Minor and Consequential Amendments
12 Minor and Consequential Amendments
13 Minor and Consequential Amendments

The Education Act 1946 (c. 50)

14 Minor and Consequential Amendments

The Education (Miscellaneous Provisions) Act 1948 (c. 40)

15 Minor and Consequential Amendments
16 Minor and Consequential Amendments

The Education Act 1980 (c. 20)

17 Minor and Consequential Amendments

The Education Act 1981 (c. 60)

18 Minor and Consequential Amendments

The Education (Fees and Awards) Act 1983 (c. 40)

19 In section 1(3) of the Education (Fees and Awards) Act...

The Further Education Act 1985 (c. 47)

20 At the end of section 1 of the Further Education...
21 (1) In section 2(2) of that Act (power of LEAs...

The Education (No. 2) Act 1986 (c. 61)

22 In section 43 of the Education (No. 2) Act 1986...
23 In section 49(3) of that Act (appraisal of performance of...
24 Minor and Consequential Amendments
25 Minor and Consequential Amendments
26 Minor and Consequential Amendments

The Education Reform Act 1988 (c. 40)

27 The Education Reform Act 1988 is amended as follows.
28 The Education Reform Act 1988 (e. 40)
29 The Education Reform Act 1988 (c. 40)
30 In section 120 (functions of local authorities with respect to...
31 In section 122 (orders incorporating higher education institutions maintained by...
32 In section 123 (provisions supplementary to sections 121 and 122)—...
33 In section 124 (powers of a higher education corporation)—
34 In section 128 (dissolution of higher education corporations)—
35 Sections 131, 132 and 134 (Universities Funding Council and Polytechnics...
36 In section 135 (inspection of accounts)— (a) for subsection (1)(c)...
37 The Education Reform Act 1988 (c. 40)
38 In section 137(2) (control of disposals of land) “or 129(3)”...
39 In section 157 (construction of instruments providing for institution ceasing...
40 In section 158(2) (reports and returns) paragraphs (a)(i) and (iii)...
41 Section 159(2)(b) (information with respect to educational provision in institutions...
42 In section 161 (interpretation of Part II) subsection (1)(c) is...
43 In section 197 (Education Assets Board)— (a) in subsection (4)...
44 In section 198(5) (transfers under Parts I and II) for...
45 In section 205 (procedure for exercise of University Commissioners’ powers)—...
46 The Education Reform Act 1988 (c. 40)
47 The Education Reform Act 1988 (c. 40)
48 In section 214(2)(a) (unrecognised degrees) after “Royal Charter or” there...
49 The Education Reform Act 1988 (c. 40)
50 The Education Reform Act 1988 (c. 40)
51 The Education Reform Act 1988 (c. 40)
52 In section 221 (avoidance of certain contractual terms) subsection (1) (c)...
53 The Education Reform Act 1988 (c. 40)
54 The Education Reform Act 1988 (c. 40)
55 In section 230 (stamp duty)— (a) in subsection (1) “section...
56 The Education Reform Act 1988 (c. 40)
57 The Education Reform Act 1988 (c. 40)
58 In section 235 (general interpretation) subsection (2)(a) and (h) are...
59 In Schedule 7 (Higher Education Corporations)— (a) for paragraph 1(4)...
60 Schedule 8 (the funding councils and the assets board) shall...
61 The Education Reform Act 1988 (c. 40)
62 The Education Reform Act 1988 (c. 40)
63 The Education Reform Act 1988 (c. 40)
64 The Education Reform Act 1988 (c. 40)
65 In paragraph 4 of that Schedule at the beginning there...
66 In Schedule 12 (minor and consequential amendments) paragraphs 68, 69(2),...

The Education (Student Loans) Act 1990 (c. 6)
67 In section 1(3)(a) of the Education (Student Loans) Act 1990...

Part II — AMENDMENTS OF OTHER ACTS

The Public Records Act 1958 (c. 51)
68 In Schedule 1 to the Public Records Act 1958 (definition...

The Charities Act 1960 (c. 58)
69 Amendments of other Acts

The Veterinary Surgeons Act 1966 (c. 36)
70 In Schedule 3 to the Veterinary Surgeons Act 1966 (exemptions...
The Local Authorities (Goods and Services) Act 1970 (c. 39)

71 (1) Subject to sub-paragraph (2) below, in the Local Authorities...

The Chronically Sick and Disabled Persons Act 1970 (c. 44)

72 In section 8(2) of the Chronically Sick and Disabled Persons...

The Superannuation Act 1972 (c. 11)

73 In Schedule 1 to the Superannuation Act 1972 the entries...

The House of Commons Disqualification Act 1975 (c. 24)

74 In Part III of Schedule 1 to the House of...

The Sex Discrimination Act 1975 (c. 65)

75 ...............  
76 ...............  
77 ...............  
78 ...............  
79 ...............  
80 ...............  
81 ...............  
82 ...............  
83 ...............  

The Race Relations Act 1976 (c. 74)

84 ...............  
85 ...............  
86 ...............  
87 ...............  
88 ...............  

The Employment Protection (Consolidation) Act 1978 (c. 44)

89 Amendments of other Acts

The Public Passenger Vehicles Act 1981 (c. 14)

90 Amendments of other Acts

The Disabled Persons (Services, Consultation and Representation) Act 1986 (c. 33)

91 (1) Section 5 of the Disabled Persons (Services, Consultation and...
92 For section 6(1) of that Act (review of expected leaving...

The Employment Act 1989 (c. 38)

93 In section 5(6) of the Employment Act 1989 (exemption for...

The Town and Country Planning Act 1990 (c. 8)

94 In section 76(1) of the Town and Country Planning Act...
The Environmental Protection Act 1990 (c. 43)

95 In section 98(2) of the Environmental Protection Act 1990 (definitions)

—...

SCHEDULE 9 — Repeals
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View outstanding changes

Changes and effects yet to be applied to:
- s. 76 heading words inserted by 2017 c. 29 s. 52(2)
- s. 16(1) words substituted by 2007 c. 25 s. 14(2)
- s. 16(3) words substituted by 2007 c. 25 s. 14(3)(a)
- s. 16(3)(b) words substituted by 2007 c. 25 s. 14(3)(b)
- s. 17(2)(a) word repealed by 2007 c. 25 s. 14(5)(a)Sch. 2
- s. 17(2)(b) words inserted by 2007 c. 25 s. 14(5)(c)(i)
- s. 17(2)(b) words substituted by 2007 c. 25 s. 14(5)(c)(ii)
- s. 27(1) words substituted by 2007 c. 25 s. 15(2)
- s. 27(2)(a) words substituted by 2007 c. 25 s. 15(2)
- s. 27(3)(a) and word repealed by 2007 c. 25 s. 15(3)Sch. 2
- s. 27(6) words substituted by 2007 c. 25 s. 15(2)
- s. 27(7) words substituted by 2007 c. 25 s. 15(5)(a)
- s. 27(7)(b) and word repealed by 2007 c. 25 s. 15(5)(b)Sch. 2
- s. 27(8) repealed by 2007 c. 25 s. 15(6)Sch. 2
- s. 51(3) words substituted by 2007 c. 25 s. 16(3)
- s. 51(3A) words substituted by 2007 c. 25 s. 16(4)
- s. 76(1) words inserted by 2017 c. 29 s. 52(3)

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. 16(6) inserted by 2007 c. 25 s. 14(4)
- s. 17(2)(aa) inserted by 2007 c. 25 s. 14(5)(b)
- s. 27(3A)(3B) inserted by 2007 c. 25 s. 15(4)
- s. 27(9) inserted by 2007 c. 25 s. 15(7)
- s. 51(1)-(2A) substituted for s. 51(1)(2) by 2007 c. 25 s. 16(2)
- s. 76(8)(9) inserted by 2017 c. 29 s. 52(4)
- s. 85D inserted by 2009 c. 22 s. 247
- s. 85D(7) words inserted by S.I. 2016/413 reg. 140 (This amendment comes into force on the day that section 85D of the Further and Higher Education Act 1992 (c. 13) comes into force. That provision is still prospective.)