



Further and Higher Education Act 1992

1992 CHAPTER 13

PART I

FURTHER EDUCATION

CHAPTER II

INSTITUTIONS WITHIN THE FURTHER EDUCATION SECTOR

The further education corporations

19 Supplementary powers of a further education corporation.

- (1) A further education corporation may do anything (including in particular the things referred to in subsections (2) to (4) below) which appears to the corporation to be necessary or expedient for the purpose of or in connection with the exercise of any of their principal powers.
- (2) A further education corporation may conduct an educational institution for the purpose of carrying on activities undertaken in the exercise of their powers to provide further or higher education and, in particular, may assume as from the operative date the conduct of the institution in respect of which the corporation is established.
- (3) A further education corporation may provide facilities of any description appearing to the corporation to be necessary or desirable for the purposes of or in connection with carrying on any activities undertaken in the exercise of their principal powers (including boarding accommodation and recreational facilities for students and staff and facilities to meet the needs of students having learning difficulties^{F1} ...).
- (4) A further education corporation may—
 - (a) acquire and dispose of land and other property,
 - (b) enter into contracts, including in particular—

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- (i) contracts for the employment of teachers and other staff for the purposes of or in connection with carrying on any activities undertaken in the exercise of their principal powers, and
- (ii) contracts with respect to the carrying on by the corporation of any such activities,
- [^{F2}(bb) form, participate in forming or invest in a company,
- (bc) form, participate in forming or otherwise become a member of a charitable incorporated organisation [^{F3}(within the meaning of Part 11 of the Charities Act 2011)],]
- (c) borrow such sums as the corporation think fit for the purposes of carrying on any activities they have power to carry on or meeting any liability transferred to them under sections [^{F4}27] to [^{F5}27C or 33P] of this Act and, in connection with such borrowing, may grant any mortgage, charge or other security in respect of any land or other property of the corporation,
- (d) invest any sums not immediately required for the purposes of carrying on any activities they have power to carry on,
- (e) accept gifts of money, land or other property and apply it, or hold and administer it on trust for, any of those purposes, and
- (f) do anything incidental to the conduct of an educational institution providing further or higher education, including founding scholarships or exhibitions, making grants and giving prizes.

^{F6}(4A)

^{F7}(4AA)

^{F8}(4AB)

^{F9}(4AC)

^{F10}(4B)

^{F11}(4C)

^{F12}(5)

[^{F13}(6) A person has a learning difficulty if—

- (a) he has a significantly greater difficulty in learning than the majority of persons of his age, or
- (b) he has a disability which either prevents or hinders him from making use of facilities of a kind generally provided by institutions within the further education sector for persons of his age.

(7) But a person is not to be taken to have a learning difficulty solely because the language (or form of language) in which he is or will be taught is different from a language (or form of language) which has at any time been spoken in his home.]

[^{F14}(8) A reference in this section to investing in a company includes a reference to becoming a member of the company and to investing in it by the acquisition of any assets, securities or rights or otherwise.]

[^{F15}(9) A further education corporation may provide advice or assistance to any other person where it appears to the corporation to be appropriate for them to do so for the purpose of or in connection with the provision of education by the other person.]

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Textual Amendments

- F1** Words in s. 19(3) omitted (1.4.2001) by virtue of 2000 c. 21, s. 149, **Sch. 9 para. 22(2)**; S.I. 2001/654, art. 2, **Sch. Pt. II** (with transitional provisions in art. 3); S.I. 2001/1274, art. 2, **Sch. Pt. I**
- F2** S. 19(4)(bb)(bc) substituted for s. 19(4)(bb) (23.10.2007) by Further Education and Training Act 2007 (c. 25), **ss. 21(2), 32(1)** (with s. 21(7))
- F3** Words in s. 19(4)(bc) substituted (14.3.2012) by Charities Act 2011 (c. 25), s. 355, **Sch. 7 para. 57** (with s. 20(2), Sch. 8)
- F4** Word in s. 19(4)(c) substituted (26.5.2015) by Deregulation Act 2015 (c. 20), s. 115(3)(h), **Sch. 15 para. 4(5)(a)**
- F5** Words in s. 19(4)(c) substituted (1.4.2012) by Education Act 2011 (c. 21), s. 82(3), **Sch. 12 para. 3(2)**; S.I. 2012/924, art. 2
- F6** S. 19(4A) omitted (1.9.2014) by virtue of Further and Higher Education (Governance and Information) (Wales) Act 2014 (anaw 1), **ss. 1(a), 11(2)**; S.I. 2014/1706, art. 3(a)
- F7** S. 19(4AA) omitted (1.9.2014) by virtue of Further and Higher Education (Governance and Information) (Wales) Act 2014 (anaw 1), **ss. 1(b), 11(2)**; S.I. 2014/1706, art. 3(a)
- F8** S. 19(4AB) omitted (1.9.2014) by virtue of Further and Higher Education (Governance and Information) (Wales) Act 2014 (anaw 1), **ss. 1(c), 11(2)**; S.I. 2014/1706, art. 3(a)
- F9** S. 19(4AC) omitted (1.4.2012) by virtue of Education Act 2011 (c. 21), s. 82(3), **Sch. 12 para. 3(6)**; S.I. 2012/924, art. 2
- F10** S. 19(4B) omitted (1.9.2014) by virtue of Further and Higher Education (Governance and Information) (Wales) Act 2014 (anaw 1), **ss. 1(d), 11(2)**; S.I. 2014/1706, art. 3(a)
- F11** S. 19(4C) omitted (1.9.2014) by virtue of Further and Higher Education (Governance and Information) (Wales) Act 2014 (anaw 1), **ss. 1(e), 11(2)**; S.I. 2014/1706, art. 3(a)
- F12** S. 19(5) omitted (1.9.2014) by virtue of Further and Higher Education (Governance and Information) (Wales) Act 2014 (anaw 1), **ss. 1(f), 11(2)**; S.I. 2014/1706, art. 3(a)
- F13** S. 19(6)(7) inserted (1.4.2001) by 2000 c. 21, s. 149, **Sch. 9 para. 22(5)**; S.I. 2001/654, art. 2, **Sch. Pt. II** (with transitional provisions in art. 3); S.I. 2001/1274, art. 2, **Sch. Pt. I**
- F14** S. 19(8) inserted (23.10.2007) by Further Education and Training Act 2007 (c. 25), **ss. 21(6), 32(1)**
- F15** S. 19(9) added (1.4.2010) by Apprenticeships, Skills, Children and Learning Act 2009 (c. 22), **ss. 256(2), 269(4)**; S.I. 2010/303, art. 3, Sch. 2

Commencement Information

- I1** S. 19 wholly in force at 30.9.1992 see s. 94(3) and S.I. 1992/831, art. 2, **Sch. 2**

Changes to legislation:

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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. 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.)