



Further and Higher Education Act 1992

1992 CHAPTER 13

PART I

FURTHER EDUCATION

CHAPTER III

GENERAL

61 Interpretation of Part I.

- (1) In this Part of this Act—
 - “functions” includes powers and duties,
 - “modifications” includes additions, alterations and omissions and
 - “modify” shall be construed accordingly, and
 - “regulations” means regulations made by the Secretary of State [^{F1}or the Welsh Ministers].
- (2) References in this Part of this Act, except section 26, to the transfer of any person’s rights or liabilities do not include—
 - (a) rights or liabilities under a contract of employment, or
 - (b) liabilities of that person in respect of compensation for premature retirement of any person formerly employed by him.
- (3) In relation to any time before the commencement of section 65 of this Act, references in this Part of this Act and, so far as relating to this Part, Part III of this Act—
 - (a) to institutions within the higher education sector are to universities, to institutions within the PCFC funding sector and to higher education institutions which receive, or are maintained by persons who receive, grants under regulations made under section 100(1)(b) of the ^{M1}Education Act 1944, and
 - ^{F2}(b)

Changes to legislation: Further and Higher Education Act 1992, Section 61 is up to date with all changes known to be in force on or before 30 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** Words in s. 61(1) inserted (1.9.2014) by [Further and Higher Education \(Governance and Information\) \(Wales\) Act 2014 \(anaw 1\)](#), s. 11(2), [Sch. 2 para. 1\(c\)](#); S.I. 2014/1706, art. 3(h)
- F2** S. 61(3)(b) omitted (1.4.2018) by virtue of [Higher Education and Research Act 2017 \(c. 29\)](#), s. 124(5), [Sch. 11 para. 13](#); S.I. 2018/241, reg. 2(s)
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Modifications etc. (not altering text)

- C1** S. 61(3)(a) applied by [1973 c. 50, s. 8\(4\)](#) (as substituted (1.4.1994 in relation to England and Scotland and 1.4.1995 for all other purposes) by [1993 c. 19, s.45](#); S.I. 1993/2503, art. 2(3)(a)(b), [Sch.3](#))
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Commencement Information

- I1** S. 61 wholly in force at 6.5.1992 see s. 94(3) and [S.I. 1992/831, art. 2, Sch. 1](#)
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Marginal Citations

- M1** [1944 c. 31](#).

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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.)