

**Changes to legislation:** There are currently no known outstanding effects for the Further and Higher Education (Scotland) Act 1992, Paragraph 1. (See end of Document for details)

## SCHEDULES

### SCHEDULE 8

#### TRANSITIONAL, CONSEQUENTIAL AND SAVING PROVISIONS

##### Commencement Information

**II** Sch. 8 wholly in force at 16.5.1992 see s. 63(2) and S.I. 1992/817, art. 3(2), Sch. 1

#### PART I

##### PROVISIONS RELATING TO PART I OF THIS ACT

##### *Supply of services*

- 1 (1) Where, in relation to any college of further education—
- (a) there is in existence at the first transfer date an arrangement whereby any defined activity (being functional work) is undertaken by a local authority which is the education authority responsible, immediately before the first transfer date, for the management of the college;
  - (b) each of the six conditions is fulfilled; and
  - (c) the arrangement is to subsist for any period after that date,
- the arrangement shall be binding, as from the first transfer date, on the board of management of the college and may be enforced by the board or, as the case may be, the local authority as if it were a contract between them for the performance of the defined activity.
- (2) In the enforcement of any arrangement as mentioned in sub-paragraph (1) above, any provision under the arrangement in pursuance of section 8(3) of the <sup>MI</sup>Local Government Act 1988 for items to be credited or, as the case may be, debited to any account shall be taken to be a requirement on the local authority or, as the case may be, the board to make payments corresponding to such provision.
- (3) In this paragraph—
- “defined activity” means a defined activity for the purposes of Part I of the Local Government Act 1988;
  - “local authority” has the same meaning as in section 1(3)(a) of that Act; and
  - “the six conditions” are the conditions referred to in section 6(1) of that Act.

##### Commencement Information

**II** Sch. 8 para. 1 wholly in force at 16.5.1992 see s. 63(2) and S.I. 1992/817, art. 3(2), Sch. 1

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**Marginal Citations**

**M1** 1988 c. 9.

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