



# Further and Higher Education (Scotland) Act 1992

## 1992 CHAPTER 37

### PART I

#### FURTHER EDUCATION

### CHAPTER III

#### COLLEGES OF FURTHER EDUCATION

##### *Management of colleges*

#### **13 Subsequent transfers of colleges.**

- (1) As regards any college of further education which is under the management of an education authority and in respect of which the management is not transferred from the authority on the first transfer date, the Secretary of State may by order appoint a date with effect from which the college shall cease to be under the management of such education authority.
- (2) An order appointing a date under subsection (1) above for the purposes of a college of further education shall establish, with effect from such date as the Secretary of State may prescribe, a body corporate to be known as “the Board of Management of” the college.
- (3) An order made under subsection (1) above may provide that such of the provisions of this Part of this Act as appear to the Secretary of State to be necessary or expedient shall, subject to such modifications as appear to him to be appropriate, apply to the transfer of the college.
- (4) The provisions referred to in subsection (3) above may include any provision restricting the right of an education authority—

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**Changes to legislation:** There are currently no known outstanding effects for the Further and Higher Education (Scotland) Act 1992, Section 13. (See end of Document for details)

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- (a) to enter into certain contracts; and
- (b) to dispose of or remove or cause to be removed or enter into any agreement or unilateral obligation for the disposal or removal of certain property,

and for the purposes of any modification made under the said subsection (3), any reference in any provision of this Part of this Act to 21st or, as the case may be, 22nd March 1991 shall be construed, respectively, as a reference to the date of or, as the case may be, the date following an announcement by the [<sup>F1</sup>Scottish Ministers to the Scottish Parliament that they intend to exercise their] power under this section.

- (5) For the purposes of any modification made by virtue of subsection (3) above to section 33 of this Act, the reference in that section to 4th November 1991 shall be construed as a reference to the date of such announcement as is mentioned in subsection (4) above.
- (6) An order shall not be made under subsection (1) above as regards a college of further education unless, at the date the order is made, the college is providing at least one full-time programme of further education.

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**Textual Amendments**

**F1** Words in s. 13(4) substituted (1.7.1999) by S.I. 1999/1820, arts. 1(3)(c), 4, **Sch. 2 Pt. I para. 108(2)**

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**Commencement Information**

**I1** S. 13 wholly in force at 1.4.1993 see s. 63(2) and S.I. 1992/817, art. 3(2), **Sch. 4**

**Changes to legislation:**

There are currently no known outstanding effects for the Further and Higher Education (Scotland) Act 1992, Section 13.