

These notes refer to the Further Education and Training Act 2007 (c.25) which received Royal Assent on 23 October 2007

FURTHER EDUCATION AND TRAINING ACT 2007

EXPLANATORY NOTES

COMMENTARY

Part 2: Further Education Institutions

Sections 21, 22 and 23: other provisions relating to further education institutions

Power to form or be involved in companies or charitable incorporated organisations

Qualifications of principals of further education institutions

101. **Section 23** amends section 137 of the Education Act 2002 (“the 2002 Act”). Section 137 allows the Secretary of State (in relation to England), or the Welsh Ministers (in relation to Wales), to make regulations requiring a person appointed as a principal of a further education institution after commencement of that section to have achieved, or be working towards, a specified leadership qualification. Persons who were appointed before the commencement of section 137 are thus exempt from the requirement that may be imposed by regulations.
102. **Section 23** limits to institutions in Wales the exemption from the regulations for those appointed as principals before the commencement of section 137. The effect of this will be to enable regulations made under section 137 by the Secretary of State to extend to all further education college principals in England.
103. The removal of this exemption applies to principals in England only, although section 137 of the 2002 Act applies to England and Wales.
104. This section also inserts new subsection (2A) which provides that regulations made under subsection (1) of section 137 may limit the period of time a principal may be given to achieve the qualification. This provision applies to England and Wales.