



# Technical and Further Education Act 2017

## CHAPTER 19

### TECHNICAL AND FURTHER EDUCATION ACT 2017

#### PART 1

##### TECHNICAL EDUCATION

- 1 The Institute for Apprenticeships and Technical Education
- 2 Information about technical education: access to English schools

#### PART 2

##### FURTHER EDUCATION BODIES: INSOLVENCY ETC

#### CHAPTER 1

##### INTRODUCTION

- 3 Overview
- 4 “Further education body”
- 5 Other key definitions

#### CHAPTER 2

##### APPLICATION OF NORMAL INSOLVENCY TO STATUTORY CORPORATIONS

- 6 Application of normal insolvency procedures
- 7 Application of other insolvency law
- 8 Records etc

### CHAPTER 3

#### RESTRICTIONS ON USE OF NORMAL INSOLVENCY PROCEDURES

- 9 Making of ordinary administration orders
- 10 Administrator appointments by creditors etc
- 11 Winding-up order
- 12 Voluntary winding up
- 13 Enforcement of security
- 14 Interpretation of Chapter

### CHAPTER 4

#### FURTHER EDUCATION BODIES: SPECIAL ADMINISTRATION

##### *Introduction to education administration*

- 15 Overview of Chapter
- 16 Objective of education administration

##### *Process*

- 17 Education administration order
- 18 Application for education administration order
- 19 Grounds for making an education administration order
- 20 Powers of the court on hearing an application
- 21 Appointment of two or more education administrators
- 22 Duty to dismiss ordinary administration application
- 23 Status of education administrator

##### *Functions of administrator and conduct of administration*

- 24 General functions of education administrator
- 25 Transfer schemes
- 26 Conduct of administration

##### *Financial support for bodies in education administration*

- 27 Grants and loans where education administration order is made
- 28 Indemnities where education administration order is made
- 29 Indemnities: repayment by further education bodies etc
- 30 Guarantees where education administration order is made
- 31 Guarantees: repayment by further education body etc

##### *Supplementary*

- 32 Education administration rules
- 33 Application of other insolvency law
- 34 Modification of this Chapter under the Enterprise Act 2002
- 35 Interpretation of Chapter

## CHAPTER 5

### TRUST PROPERTY HELD BY SIXTH FORM COLLEGE CORPORATIONS

- 36 Trust property held by sixth form college corporations

## CHAPTER 6

### RESTRICTIONS ON OTHER DISSOLUTION PROCEDURES

- 37 Restrictions on dissolution of further education corporation  
38 Restrictions on dissolution of sixth form college corporation

## CHAPTER 7

### DISQUALIFICATION OF OFFICERS

- 39 Disqualification of officers

## PART 3

### OTHER PROVISION TO DO WITH FURTHER EDUCATION

- 40 Information for Secretary of State about further education  
41 Careers advice in further education institutions: Ofsted inspection

## PART 4

### GENERAL

- 42 Power to make transitional provision  
43 Power to make consequential provision  
44 Regulations: general  
45 Affirmative and negative resolution procedures  
46 Extent  
47 Commencement  
48 Short title

---

## SCHEDULES

### SCHEDULE 1 — The Institute for Apprenticeships and Technical Education

- 1 The Apprenticeships, Skills, Children and Learning Act 2009 is amended...
- 2 (1) Section ZA2 (general duties) is amended as follows.
- 3 (1) Section ZA3 (provision of advice and assistance to the...
- 4 (1) Section ZA4 (delegation of functions of Secretary of State)...
- 5 In section ZA5(1) (conferral of new functions by regulations) for...
- 6 In the heading for Chapter A1, after “Apprenticeships” insert “and...”
- 7 In Chapter A1, before section A1 (and the italic heading...
- 8 For the italic heading before section A1 substitute “Meaning of...”
- 9 In section A1 (meaning of “approved English apprenticeship”)—
- 10 For the italic heading before section A2 substitute “Apprenticeship assessment...”

- 11 (1) Section A2 (apprenticeship standards and assessment plans) is amended...
- 12 Omit section A2A (preparation of apprenticeship standards and plans).
- 13 In the italic heading before section A2B, at the end...
- 14 (1) Section A2B (evaluation of quality of apprenticeship assessments) is...
- 15 After section A2D insert— Technical education qualifications Approved technical education...
- 16 For the italic heading before section A2E substitute “Other provision...
- 17 In section A2E (regular reviews of published standards and assessment...
- 18 (1) Section A2F (revision or withdrawal of published standards and...
- 19 Omit the italic heading before section A2G.
- 20 In section A2G— (a) after “standard or”, in each place...
- 21 After section A2H insert— List of technical education qualifications (1) The Institute must maintain a list of approved technical...
- 22 (1) Section A2I (transfer of copyright in standards and assessment...
- 23 After section A2I insert— Transfer of copyright relating to technical...
- 24 After section A3 insert— Power to issue technical education certificate...
- 25 Part 1A (apprenticeships: information sharing) is amended as follows.
- 26 In the Part heading, after “Apprenticeships” insert “and other education...
- 27 After section 40A insert— Sharing of information by or with...
- 28 In section 40D(3) (interpretation of Part 1A)—
- 29 (1) Section 100 (funding) is amended as follows.
- 30 In section 121(1) (interpretation of Part 1), at the appropriate...
- 31 In section 262(6) (orders and regulations subject to affirmative procedure),...
- 32 (1) Schedule A1 (the Institute) is amended as follows.
- 33 (1) This paragraph applies to a standard published by the...
- 34 (1) This paragraph applies to an assessment plan published by...
- 35 (1) The Secretary of State may by regulations provide for...

#### SCHEDULE 2 — Education administration: transfer schemes

- 1 Power to make a transfer scheme
- 2 A transfer scheme takes effect at the time specified in...
- 3 Procedural requirements: consent and approval
- 4 The appropriate national authority may modify a transfer scheme before...
- 5 Modifying a scheme after it takes effect
- 6 Property, rights and liabilities that may be transferred
- 7 (1) A transfer scheme may make consequential, supplementary, incidental or...
- 8 Proof of title by certificate
- 9 Interpretation

#### SCHEDULE 3 — Conduct of education administration: statutory corporations

- 1 Introductory
- 2 General modifications
- 3 Specific modifications to Schedule B1 to the Insolvency Act 1986
- 4 Paragraph 1 (administration) is to have effect as if—
- 5 Paragraph 40 (dismissal of pending winding-up petition) is to have...

- 6 Paragraph 41 (dismissal of administrative or other receiver) is to...
- 7 Paragraph 42 (moratorium on insolvency proceedings) is to have effect...
- 8 Paragraph 43 (moratorium on other legal process) is to have...
- 9 Paragraph 44 (interim moratorium) is to have effect as if...
- 10 Paragraph 45(2) (publicity) is to have effect as if for...
- 11 Paragraph 46(6) (date for notifying administrator's appointment) is to have...
- 12 Paragraph 47 (statement of affairs) is to have effect as...
- 13 Paragraph 49 (administrator's proposals) is to have effect as if—...
- 14 Paragraph 54 is to have effect as if the following...
- 15 Paragraph 60 is to have effect as if the following...
- 16 Paragraph 61 is to have effect as if the following...
- 17 Paragraph 64 (management powers may not be exercised without consent...
- 18 Paragraph 68 (management duties of an administrator) is to have...
- 19 Paragraph 71 (charged property: non-floating charge), is to have effect...
- 20 Paragraph 73 (protection for secured or preferential creditor) is to...
- 21 Paragraph 74 (challenge to administrator's conduct) is to have effect...
- 22 Paragraph 75(2) (mifeasance) is to have effect as if—
- 23 Paragraph 79 (end of administration) is to have effect as...
- 24 Paragraph 83 (notice to registrar when moving to voluntary liquidation)...
- 25 Paragraph 84 (notice to registrar when moving to dissolution) is...
- 26 Paragraph 87(2) (resignation of administrator) is to have effect as...
- 27 Paragraph 89(2) (administrator ceasing to be qualified) is to have...
- 28 Paragraph 90 (filling vacancy in office of administrator) is to...
- 29 Paragraph 91 (vacancies in court appointments) is to have effect...
- 30 Paragraph 98 (discharge from liability on vacation of office) is...
- 31 Paragraph 99 (charges and liabilities upon vacation of office by...
- 32 Paragraph 100 (joint and concurrent administrators) is to have effect...
- 33 Paragraph 101(3) (joint administrators) is to have effect as if...
- 34 Paragraph 103 (appointment of additional administrators) is to have effect...
- 35 Paragraph 106(2) (penalties) is to have effect as if paragraphs...
- 36 Paragraph 109 (references to extended periods) is to have effect...
- 37 Paragraph 111 (interpretation) is to have effect as if the...
- 38 Specific modifications to section 251 of the Insolvency Act 1986
- 39 Power to add modifications

#### SCHEDULE 4 — Conduct of education administration: companies

- 1 Introductory
- 2 General modifications
- 3 Specific modifications to Schedule B1 to the Insolvency Act 1986
- 4 Paragraph 1 (administration) is to have effect as if—
- 5 Paragraph 40 (dismissal of pending winding-up petition) is to have...
- 6 Paragraph 42 (moratorium on insolvency proceedings) is to have effect...
- 7 Paragraph 43 (moratorium on other legal process) is to have...
- 8 Paragraph 44 (interim moratorium) is to have effect as if...
- 9 Paragraph 45(2) (publicity) is to have effect as if after...
- 10 Paragraph 46(6) (date for notifying administrator's appointment) is to have...

- 11 Paragraph 47 (statement of affairs) is to have effect as...
- 12 Paragraph 49 (administrator's proposals) is to have effect as if—...
- 13 Paragraph 54 is to have effect as if the following...
- 14 Paragraph 60 (powers of an administrator) is to have effect...
- 15 Paragraph 61 is to have effect as if the following...
- 16 Paragraph 64 (management powers may not be exercised without consent...
- 17 Paragraph 68 (management duties of an administrator) is to have...
- 18 Paragraph 73 (protection for secured or preferential creditor) is to...
- 19 Paragraph 74 (challenge to administrator's conduct) is to have effect...
- 20 Paragraph 75(2) (mifeasance) is to have effect as if after...
- 21 Paragraph 79 (end of administration) is to have effect as...
- 22 Paragraph 83 (notice to registrar when moving to voluntary liquidation)...
- 23 Paragraph 84 (notice to registrar when moving to dissolution) is...
- 24 Paragraph 87(2) (resignation of administrator) is to have effect as...
- 25 Paragraph 89(2) (administrator ceasing to be qualified) is to have...
- 26 Paragraph 90 (filling vacancy in office of administrator) is to...
- 27 Paragraph 91 (vacancies in court appointments) is to have effect...
- 28 Paragraph 98 (discharge from liability on vacation of office) is...
- 29 Paragraph 99 (charges and liabilities upon vacation of office by...
- 30 Paragraph 100 (joint and concurrent administrators) is to have effect...
- 31 Paragraph 101(3) (joint administrators) is to have effect as if...
- 32 Paragraph 103 (appointment of additional administrators) is to have effect...
- 34 Paragraph 109 (references to extended periods) is to have effect...
- 35 Paragraph 111 (interpretation) is to have effect as if the...
- 36 Specific modifications to section 251 of the Insolvency Act 1986
- 37 Power to add modifications