



# Further and Higher Education Act 1992

## 1992 CHAPTER 13

### PART I

#### FURTHER EDUCATION

### CHAPTER II

#### INSTITUTIONS WITHIN THE FURTHER EDUCATION SECTOR

##### *Dissolution of further education corporations*

#### **27 Dissolution of further education corporations.**

- (1) Subject to the following provisions of this section, the Secretary of State may by order provide for the dissolution of any further education corporation and the transfer to any person mentioned in subsection (2) or (3) below of property, rights and liabilities of the corporation.
- (2) Such property, rights and liabilities may be transferred to—
  - (a) any person appearing to the Secretary of State to be wholly or mainly engaged in the provision of educational facilities or services of any description, or
  - (b) any body corporate established for purposes which include the provision of such facilities or services,with the consent of the person or body in question.
- (3) Such property, rights and liabilities may be transferred to—
  - [<sup>F1</sup>(a) the [<sup>F2</sup>Chief Executive of Skills Funding], in the case of a further education corporation in England], or
  - (b) a higher education funding council.
- (4) Where the recipient of a transfer under any order under this section is not a charity established for charitable purposes which are exclusively educational purposes, any

*Status: Point in time view as at 14/03/2012. This version of this provision has been superseded.*

*Changes to legislation: Further and Higher Education Act 1992, Section 27 is up to date with all changes known to be in force on or before 08 August 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)*

property transferred must be transferred on trust to be used for charitable purposes which are exclusively educational purposes.

- (5) In subsection (4) above [<sup>F3</sup>“charitable purposes” has the meaning given by section 11 of the Charities Act 2011].
- (6) An order under this section may apply section 26 of this Act with such modifications as the Secretary of State may consider necessary or desirable.
- (7) Before making an order under this section in respect of a further education corporation the Secretary of State shall consult—
- (a) the corporation, and
  - (b) the appropriate [<sup>F4</sup>body], unless the order was made for the purpose of giving effect to a proposal of that [<sup>F4</sup>body].
- [<sup>F5</sup>(7A) Before making an order under this section in respect of a further education corporation in England, the Secretary of State must also consult the YPLA.]
- [<sup>F6</sup>(8) Nothing in this section requires the National Assembly to consult itself.]

#### Textual Amendments

- F1** S. 27(3)(a) substituted (1.4.2006) by [The National Council for Education and Training for Wales \(Transfer of Functions to the National Assembly for Wales and Abolition\) Order 2005 \(S.I. 2005/3238\)](#), art. 1(1), **Sch. 1 para. 16(a)** (with art. 7)
- F2** Words in s. 27(3)(a) substituted (1.4.2010) by [The Apprenticeships, Skills, Children and Learning Act 2009 \(Consequential Amendments\) \(England and Wales\) Order 2010 \(S.I. 2010/1080\)](#), art. 1(2)(a), **Sch. 1 para. 19(a)** (with art. 2(3))
- F3** Words in s. 27(5) substituted (14.3.2012) by [Charities Act 2011 \(c. 25\)](#), s. 355, **Sch. 7 para. 59** (with s. 20(2), Sch. 8) (with S.I. 2011/1396, art. 1, **Sch. para. 44(b)**)
- F4** Word in s. 27(7)(b) substituted (1.4.2006) by [The National Council for Education and Training for Wales \(Transfer of Functions to the National Assembly for Wales and Abolition\) Order 2005 \(S.I. 2005/3238\)](#), art. 1(1), **Sch. 1 para. 16(b)** (with art. 7)
- F5** S. 27(7A) inserted (1.4.2010) by [The Apprenticeships, Skills, Children and Learning Act 2009 \(Consequential Amendments\) \(England and Wales\) Order 2010 \(S.I. 2010/1080\)](#), art. 1(2)(a), **Sch. 1 para. 19(b)** (with art. 2(3))
- F6** S. 27(8) inserted (1.4.2006) by [The National Council for Education and Training for Wales \(Transfer of Functions to the National Assembly for Wales and Abolition\) Order 2005 \(S.I. 2005/3238\)](#), art. 1(1), **Sch. 1 para. 16(c)** (with art. 7)

#### Commencement Information

- I1** S. 27 wholly in force at 30.9.1992, see s. 94(3) and S.I. 1992/831, art. 2, **Sch. 2**

**Status:**

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**Changes to legislation:**

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