



# Further and Higher Education Act 1992

## 1992 CHAPTER 13

### PART I

#### FURTHER EDUCATION

### CHAPTER II

#### INSTITUTIONS WITHIN THE FURTHER EDUCATION SECTOR

##### *Miscellaneous*

#### **48 Statutory conditions of employment.**

- (1) This section applies where—
  - (a) an educational institution at which a school teacher is employed by a local education authority, or by the governing body of a voluntary or grant-maintained school, becomes an institution within the further education sector, and
  - (b) immediately before the operative date, any of the terms and conditions of his employment have effect by virtue of a pay and conditions order.
- (2) As from the operative date the person's contract of employment shall have effect—
  - (a) in relation to him and to the governing body of the institution as it had effect immediately before that date in relation to school teachers and to local education authorities or governing bodies of voluntary or grant-maintained schools, and
  - (b) as if the contract required any remuneration determined in accordance with the scales and other provisions set out or referred to in the relevant pay and conditions order to be paid to him by the governing body of the institution.
- (3) Nothing in this section affects any right to vary the terms of any contract of employment.

*Status: Point in time view as at 01/09/1998. This version of this provision has been superseded.*

*Changes to legislation: Further and Higher Education Act 1992, Section 48 is up to date with all changes known to be in force on or before 31 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)*

(4) In this section—

- (a) “pay and conditions order” and “school teacher” have the same meaning as in the <sup>M1</sup>School Teachers’ Pay and Conditions Act 1991, and
- (b) “relevant pay and conditions order”, in relation to any person, means the pay and conditions order having effect in relation to him immediately before the operative date or, if that order is no longer in force, the pay and conditions order which would have had effect in relation to him if the institution at which he is employed had not become an institution within the further education sector.

**Modifications etc. (not altering text)**

**C1** S. 48 modified (1.4.1993) by S.I. 1993/563, art. 2, **Sch.1**

**C2** S. 48(4)(b) modified (16.3.1992) by S.I. 1992/831, **arts. 2,5**, Sch. 3

**Commencement Information**

**I1** S. 48 wholly in force at 1.4.1993 see s. 94(3) and S.I. 1992/831, art. 2, **Sch. 3**

**Marginal Citations**

**M1** 1991 c. 49.

**Status:**

Point in time view as at 01/09/1998. This version of this provision has been superseded.

**Changes to legislation:**

Further and Higher Education Act 1992, Section 48 is up to date with all changes known to be in force on or before 31 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.