



# Further and Higher Education Act 1992

## 1992 CHAPTER 13

### PART I

#### FURTHER EDUCATION

#### CHAPTER I

##### RESPONSIBILITY FOR FURTHER EDUCATION

##### *Finance*

#### **5 Administration of funds by councils**

- (1) A council may give financial support to the governing body of any institution within the further education sector or the higher education sector in respect of—
  - (a) the provision of facilities for further education, or
  - (b) the provision of facilities, and the carrying on of any activities, which the governing body of the institution consider necessary or desirable to be provided or carried on for the purpose of or in connection with the provision of facilities for further education.
- (2) A council may give financial support to the governing body of any institution within the further education sector in respect of—
  - (a) the provision of facilities for higher education, or
  - (b) the provision of facilities, and the carrying on of any activities, which the governing body of the institution consider necessary or desirable to be provided or carried on for the purpose of or in connection with the provision of facilities for higher education.
- (3) A council may give financial support to a further education corporation for the purposes of any educational institution to be conducted by the corporation, including the establishment of such an institution.

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*Status: This is the original version (as it was originally enacted).*

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- (4) For the purposes of section 4(3) to (5) of this Act, a council may give financial support to any person other than a local education authority, the governing body of a grant-maintained school or a person maintaining or carrying on a city technology college or city college for the technology of the arts.
- (5) A council may give financial support to any person in respect of—
- (a) the provision of training or advice, or
  - (b) the carrying on of research or other activities,
- relevant to the provision of facilities for further education.
- (6) Financial support under this section—
- (a) shall take the form of grants, loans or other payments, and
  - (b) may be given on such terms and conditions as the council think fit.
- (7) The terms and conditions on which a council make any grants, loans or other payments under this section may in particular—
- (a) enable the council to require the repayment, in whole or in part, of sums paid by the council if any of the terms and conditions subject to which the sums were paid is not complied with, and
  - (b) require the payment of interest in respect of any period during which a sum due to the council in accordance with any of the terms and conditions remains unpaid,
- but shall not relate to the application by the person to whom the financial support is given of any sums derived otherwise than from the council.
- (8) A council may not give any financial support except in accordance with this section.