



# Learning and Skills Act 2000

## 2000 CHAPTER 21

### PART V

#### MISCELLANEOUS AND GENERAL

##### *Other miscellaneous provisions*

#### **141 Training programmes: cessation of funding.**

- (1) This section applies to a company if—
- (a) it has entered into an arrangement with the Secretary of State with a view to receiving payments under section 2(2)(d) of the <sup>M1</sup>Employment and Training Act 1973 (arrangements in respect of training) in connection with the provision of facilities,
  - (b) before the passing of this Act the company has received notice from the Secretary of State that he intends to terminate the arrangement mentioned in paragraph (a),
  - (c) the company's memorandum and articles of association are in a form approved by the Secretary of State generally or specifically for purposes connected with arrangements of the kind described in paragraph (a), and
  - (d) the company's memorandum of association requires all income and profits to be applied towards the promotion of the company's objects and not to be distributed to members.
- (2) Unless the Secretary of State consents in writing, a company to which this section applies may not after the passing of this Act—
- (a) take action of a prescribed kind, or
  - (b) cause or permit a person to take action of a prescribed kind.
- (3) In subsection (2) "prescribed" means prescribed by order of the Secretary of State; and the action which may be prescribed under that subsection includes, in particular—
- (a) making a disposal or payment of a prescribed kind or in prescribed circumstances,

*Status: Point in time view as at 10/08/2000. This version of this provision has been superseded.*

*Changes to legislation: Learning and Skills Act 2000, Section 141 is up to date with all changes known to be in force on or before 29 July 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)*

- (b) incurring expenditure of a prescribed kind or in prescribed circumstances, and
  - (c) entering into a transaction of a prescribed kind or in prescribed circumstances.
- (4) A company to which this section applies shall comply with a written direction from the Secretary of State given after the passing of this Act which requires it to transfer an asset to—
- (a) a specified body, or
  - (b) the Secretary of State.
- (5) Before giving a direction to a company under subsection (4) the Secretary of State shall consult the company.
- (6) Where a company to which this section applies takes, causes or permits action in contravention of subsection (2) the High Court may on the application of the Secretary of State make any order which seems to it appropriate.
- (7) An order under subsection (6) may, in particular—
- (a) provide for a contract or other agreement to be of no effect;
  - (b) vary the terms of a contract or other agreement;
  - (c) require money to be paid to the Secretary of State by or on behalf of the company to which this section applies;
  - (d) require money to be paid to the Secretary of State by or on behalf of any other specified person;
  - (e) require the Secretary of State to pay to a specified person compensation of an amount specified in the order or determined in accordance with the order.
- (8) Section 150 shall not apply to this section; but in the application of this section to a company which operates in Wales—
- (a) a reference to the Secretary of State in subsection (1)(a) and (b) shall be construed as a reference to the Secretary of State or the National Assembly for Wales,
  - (b) the functions conferred or imposed on the Secretary of State by subsections (2) to (6) shall be exercisable by the National Assembly, and
  - (c) a reference in subsections (2) to (7) to the Secretary of State shall be taken as a reference to the National Assembly.

#### Commencement Information

- II** S. 141 wholly in force at 1.1.2001; s. 141 not in force at Royal Assent see s. 154; s. 141 in force (E.) at 10.8.2000 by [S.I. 2000/2114](#), art. 2(2), **Sch. Pt. II**; s. 141 in force (W.) at 1.1.2001 by [S.I. 2000/3230](#), art. 2, **Sch.**

#### Marginal Citations

- M1** 1973 c. 50.

**Status:**

Point in time view as at 10/08/2000. This version of this provision has been superseded.

**Changes to legislation:**

Learning and Skills Act 2000, Section 141 is up to date with all changes known to be in force on or before 29 July 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.