

SCHEDULES

SCHEDULE 12

FURTHER EDUCATION INSTITUTIONS: AMENDMENTS

Amendments to FHEA 1992

- 30 (1) Section 56E (intervention by local authority) is amended as follows.
- (2) In subsection (1), for “responsible local authority are” substitute “Secretary of State is”.
- (3) In subsection (3), for “authority” substitute “Secretary of State”.
- (4) For subsection (4) substitute—
- “(4) Subsections (4A) and (4B) apply to a sixth form college which is specified, or falls within a class specified, in an order under section 33J(2).
- (4A) Before doing one or more of the things listed in subsection (6), the Secretary of State must consult—
- (a) the trustees of the sixth form college, and
- (b) each person or body with power under the college’s instrument of government to appoint or nominate one or more of its foundation governors.
- (4B) After carrying out a consultation under subsection (4A), the Secretary of State must give the persons and bodies consulted a notice stating—
- (a) what the Secretary of State has decided to do;
- (b) the reasons for the decision.”
- (5) In subsection (5)—
- (a) for “authority do one or more of those things, the authority” substitute “Secretary of State does one or more of the things listed in subsection (6), the Secretary of State”;
- (b) in paragraph (a), for “authority are” substitute “Secretary of State is”;
- (c) in paragraph (b), for “authority have” substitute “Secretary of State has”.
- (6) In subsection (6)—
- (a) for “The authority” substitute “The Secretary of State”;
- (b) in paragraph (c), for “authority think” substitute “Secretary of State thinks”.
- (7) In subsection (7), after “include” insert “— (a)” and at the end insert—
- “(b) a direction requiring a governing body to make a resolution under section 33O(1) for the body to be dissolved on a date specified in the direction.

Status: This is the original version (as it was originally enacted).

- (7A) A governing body to which a direction such as is mentioned in subsection (7) (b) is given is to be taken for the purposes of section 33O(1) to have complied with section 33N before making the resolution required by the direction.”
- (8) For subsection (9) substitute—
- “ (9) The Secretary of State may not give a direction to a governing body under subsection (6)(c) which relates to the dismissal of a member of staff.”
- (9) Omit subsection (10).
- (10) In the heading, for “local authorities” substitute “Secretary of State”.