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STATUTORY INSTRUMENTS

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**1993 No. 563**

**EDUCATION, ENGLAND AND WALES**

**The Education (Designated Institutions in Further and Higher Education) (Interpretation) Order 1993**

<i>Made</i>	- - - -	<i>8th March 1993</i>
<i>Laid before Parliament</i>		<i>10th March 1993</i>
<i>Coming into force</i>	- -	<i>1st April 1993</i>

In exercise of the powers conferred on the Secretary of State by sections 90(2) and 89(4) of the Further and Higher Education Act 1992<sup>(1)</sup> the Secretary of State for Education, as respects England, and the Secretary of State for Wales, as respects Wales, hereby make the following Order:

**Citation and commencement**

1. This Order may be cited as the Education (Designated Institutions in Further and Higher Education) (Interpretation) Order 1993 and shall come into force on 1st April 1993.

**Interpretation of references to governing bodies**

2. Any reference in the Education Acts 1944 to 1992 to the governing body of an institution, in relation to an institution which is—

- (a) a designated institution for the purposes of Part I (further education) or Part II (higher education) of the Further and Higher Education Act 1992, and
- (b) conducted by a company

shall be read as a reference to the governing body provided for in the instrument of government, except in the case of a reference in a provision listed in—

- (i) Schedule 1 to this Order, which shall be read as a reference to the company; or
- (ii) Schedule 2 to this Order, which shall be read as a reference to both the governing body provided in the instrument of government and the company.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

## SCHEDULE 1

Article 2

## References to be read as references to the company

Act	Section
Education Reform Act 1988(2)	133
	211(1)(ba)
	220
Further and Higher Education Act 1992	5(1) (except 5(1)(b))
	5(2) (except 5(2)(b))
	16(1)
	34(4)
	35
	37(2)
	37(3)
	48
	65(3)(a)
	84(1)

## SCHEDULE 2

Article 2

## References to be read as references to the governing body and the company

Act	Section
Education Reform Act 1988(3)	197(7B)
Further and Higher Education Act 1992	46(2)(a)
	50(1)
	52
	54
	57

(2) 1988 c. 40; section 133 is amended by section 67 of the Further and Higher Education Act 1992, section 211 by paragraph 47 of Schedule 8 to that Act and section 220 by paragraph 51 of that Schedule.

(3) Section 197(7B) was inserted by paragraph 43(c) of Schedule 8 to the Further and Higher Education Act 1992.

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Act	Section
	75(3)(a)
	79
	83(2)
	Schedule 8, paragraph 9.

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8th March 1993

*John Patten*  
Secretary of State for Education

8th March 1993

*David Hunt*  
Secretary of State for Wales

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#### **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order indicates how references in the Education Acts to the governing body of an institution which is a company designated under the Further and Higher Education Act 1992 as eligible to receive support from funds administered by the Further Education Funding Councils or the Higher Education Funding Councils are to be interpreted. References are to be read as references to the governing body provided for in the instrument of government of the institution except for those listed in Schedule 1 to the Order, which are to be read as references to the company, or Schedule 2, which are to be read as references to both.