
STATUTORY INSTRUMENTS

2007 No. 1848

EDUCATION, ENGLAND

**The Cumbria Institute of the Arts Higher
Education Corporation (Dissolution) Order 2007**

<i>Made</i>	- - - -	<i>27th June 2007</i>
<i>Laid before Parliament</i>		<i>4th July 2007</i>
<i>Coming into force</i>	- -	<i>1st August 2007</i>

The Secretary of State for Education and Skills makes the following Order in exercise of the powers conferred by section 128 of the Education Reform Act 1988(1).

In accordance with section 128(2) of that Act he has obtained the consent of St Martin's College(2), which is an educational charity, to the transfer of the property, rights and liabilities of the higher education corporation known as Cumbria Institute of the Arts(3) ("Cumbria Corporation").

In accordance with section 128(4) of that Act he has consulted Cumbria Corporation and the Higher Education Funding Council for England(4).

Citation, commencement and interpretation

1. This Order may be cited as the Cumbria Institute of the Arts Higher Education Corporation (Dissolution) Order 2007 and comes into force on 1st August 2007.

Dissolution of Cumbria Corporation

2. Cumbria Corporation shall be dissolved on 1st August 2007 and all of its property, rights and liabilities shall be transferred to St Martin's College.

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- (1) 1988 c.40: Section 128 was amended by the Further and Higher Education Act 1992 (c.13), Schedule 8, paragraph 34; the Charities Act 1993 (c.10), Schedule 6, paragraph 30 and the Learning and Skills Act 2000 (c.21), Schedule 9, paragraph 16. By virtue of S.I. 1999/672, the power in section 128 is exercisable by the Secretary of State only in relation to England.
- (2) Incorporated as a private company limited by guarantee on 19 December 2006. Company number 06033238. Originally founded in 1964 by the Church of England as a College of Education for teacher training.
- (3) Established as a higher education corporation under section 122A of the Education Reform Act 1998 on 1 August 1997 by the Cumbria College of Art and Design Further Education Corporation (Transfer to the Higher Education Sector) Order 1997 (S.I. 1997/91). The institution changed its name to Cumbria Institute of the Arts by order of the Privy Council dated 5 December 2001.
- (4) The reference to the "higher education funding council" in section 128(4) of the Education Reform Act 1988 is to be read as a reference to the Higher Education Funding Council for England in accordance with section 62(6) of the Further and Higher Education Act 1992 (c. 13).

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

3. Section 127 of the Education Reform Act 1988 shall apply to any person employed by Cumbria Corporation immediately before 1 August 2007 as if reference in that section to—

- (a) a person to whom that section applies were to a person so employed;
- (b) the transfer date were to 1st August 2007;
- (c) the transferor authority were to Cumbria Corporation; and
- (d) the corporation were to St Martin's College.

27 June 2007

Bill Rammell
Minister of State
Department for Education and Skills

EXPLANATORY NOTE

(This note is not part of the Order)

This Order dissolves the higher education corporation known as Cumbria Institute of the Arts. Cumbria Institute of the Arts was established as a higher education corporation under section 122A of the Education Reform Act 1988 in 1997 as the Cumbria College of Art and Design. The Cumbria College of Art and Design changed its name to Cumbria Institute of the Arts in 2001 with the consent of the Privy Council.

This Order provides for all property, rights and liabilities to which Cumbria Institute of the Arts was entitled or subject immediately before its dissolution to be transferred to St Martin's College (which was incorporated as a private company limited by guarantee in 2006).

This Order also makes provision for section 127 of the Education Reform Act 1988 to apply in relation to persons who were employed by Cumbria Institute of the Arts immediately before 1st August 2007. Section 127 of the 1988 Act, as applied by this Order, makes provision for the transfer of such employees to St Martin's College on 1st August 2007 and in respect of the associated rights and duties of St Martin's College and the transferred employees.

An Impact Assessment has not been prepared for this instrument because it has no impact on the costs of business.