

2009 No. 3239

EDUCATION, ENGLAND

The Braintree College (Dissolution) Order 2009

Made - - - - *6th December 2009*

Laid before Parliament *10th December 2009*

Coming into force - - *1st January 2010*

The Secretary of State for Business, Innovation and Skills makes the following Order in exercise of the powers conferred by section 27 of the Further and Higher Education Act 1992(a) (“the Act”).

This Order is made with the consent of the further education corporation established to conduct The Colchester Institute(b). It is made for the purpose of giving effect to a proposal for the dissolution of the further education corporation established to conduct Braintree College(c) (“the corporation”) made by the Learning and Skills Council for England. The Secretary of State has consulted the corporation.

1. This Order may be cited as the Braintree College (Dissolution) Order 2009 and comes into force on 1st January 2010.

2. On 1st January 2010 the corporation is to be dissolved and all of its property rights and liabilities are to be transferred to The Colchester Institute, being a body corporate established for purposes which include the provision of educational facilities or services.

3. Section 26(2), (3) and (4) of the Act shall apply to any person employed by the corporation immediately before 1st January 2010 as if the reference in that section—

- (a) to a person to whom that section applies were to a person so employed;
- (b) to the operative date were to 1st January 2010;
- (c) to the transferor were to the corporation; and
- (d) to the corporation were to The Colchester Institute.

Kevin Brennan
Minister for Further Education, Skills, Apprenticeships and Consumer Affairs
Department for Business, Innovation and Skills

6th December 2009

(a) 1992 c.13; section 27 was amended by S.I. 2005/3238, Schedule 1, paragraph 16; section 51 was amended by S.I. 2005/3238, Schedule 1, paragraph 21.

(b) Established by the Education (Further Education Corporations) Order 1992 (S.I. 1992/2097).

(c) Established by the Education (Further Education Corporations) Order 1992 (S.I. 1992/2097).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order dissolves with effect from 1st January 2010 the further education corporation established to conduct Braintree College. It provides for the transfer of its property, rights and liabilities to The Colchester Institute and secures the rights of its employees by applying section 26(2) to (4) of the Further and Higher Education Act 1992.

An Impact Assessment has not been prepared for this instrument as it has no wider impact on the costs of business, charities or voluntary bodies. The impact on the public sector is minimal.

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£4.00