



Further and Higher Education Act 1992

1992 CHAPTER 13

PART I

FURTHER EDUCATION

CHAPTER II

INSTITUTIONS WITHIN THE FURTHER EDUCATION SECTOR

[^{F1}Sixth form college corporations: England

[^{F1}33I Constitution of sixth form college corporation and conduct of sixth form college

- (1) For every sixth form college corporation there is to be—
 - (a) an instrument providing for the constitution of the corporation (to be known as the instrument of government), and
 - (b) an instrument in accordance with which the corporation, and the relevant sixth form college, are to be conducted (to be known as articles of government).
- (2) Instruments of government and articles of government—
 - (a) must comply with the requirements of ^{F2}...Schedule 4, and
 - [^{F3}(b) subject to that, may make such other provision as may be necessary or desirable.]
- (3) Subsection (2) is subject to section 33J.
- (4) The validity of any proceedings of a sixth form college corporation, or of any committee of the corporation, is not affected by—
 - (a) a vacancy among the members, or
 - (b) a defect in the appointment or nomination of a member.
- (5) Subsection (6) applies to a document purporting to be an instrument made or issued by or on behalf of a sixth form college corporation and to be—

Changes to legislation: *Further and Higher Education Act 1992, Section 33I is up to date with all changes known to be in force on or before 13 May 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) View outstanding changes*

- (a) duly executed under the seal of the corporation, or
 - (b) signed or executed by a person authorised by the corporation to act in that behalf.
- (6) The document is to be received in evidence and treated, without further proof, as being made or issued by or on behalf of the corporation unless the contrary is shown.]

Textual Amendments

- F1** Ss. 33A-33N and cross-heading inserted (12.1.2010 for the insertion of ss. 33A-33J, 33M, 33N, 1.4.2010 in so far as not already in force) by [Apprenticeships, Skills, Children and Learning Act 2009](#) (c. 22), s. 269(4), **Sch. 8 para. 3**; S.I. 2009/3317, art. 2, **Sch.**; S.I. 2010/303, art. 3, **Sch. 2** (with arts. 9-11)
- F2** Words in s. 33I(2)(a) omitted (1.9.2014) by virtue of [Further and Higher Education \(Governance and Information\) \(Wales\) Act 2014](#) (anaw 1), s. 11(2), **Sch. 2 para. 1(b)**; S.I. 2014/1706, art. 3(h)
- F3** S. 33I(2)(b) substituted (1.4.2012) by [Education Act 2011](#) (c. 21), s. 82(3), **Sch. 12 para. 16(b)**; S.I. 2012/924, art. 2

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 16(6) inserted by [2007 c. 25 s. 14\(4\)](#)
- s. 17(2)(aa) inserted by [2007 c. 25 s. 14\(5\)\(b\)](#)
- s. 27(3A)(3B) inserted by [2007 c. 25 s. 15\(4\)](#)
- s. 27(9) inserted by [2007 c. 25 s. 15\(7\)](#)
- s. 51(1)-(2A) substituted for s. 51(1)(2) by [2007 c. 25 s. 16\(2\)](#)
- s. 76(8)(9) inserted by [2017 c. 29 s. 52\(4\)](#)
- s. 85D inserted by [2009 c. 22 s. 247](#)
- s. 85D(7) words inserted by [S.I. 2016/413 reg. 140](#) (This amendment comes into force on the day that section 85D of the Further and Higher Education Act 1992 (c. 13) comes into force. That provision is still prospective.)