

## SCHEDULES

### SCHEDULE 15

#### FURTHER AND HIGHER EDUCATION: REDUCTION OF BURDENS

#### PART 2

##### MEASURES APPLYING TO ENGLAND ONLY

##### *Control of governance of designated institutions conducted by companies*

- 5 (1) Section 31 of the Further and Higher Education Act 1992 (which confers powers on the Secretary of State and the Welsh Ministers to give directions for the purpose of securing that the articles of association etc of institutions designated under section 28 of that Act and conducted by companies are amended as specified in the directions) ceases to have effect in relation to England.
- (2) Accordingly, in section 31(1), after “designated institution”, insert “in Wales”.

##### *Conversion of sixth form college corporations into further education corporations*

- 6 In section 33D of the Further and Higher Education Act 1992 (conversion of sixth form college corporations into further education corporations)—
- (a) omit subsection (2)(b) (which confers power on the Secretary of State to convert a sixth form college corporation established in England into a further education corporation if satisfied that it is no longer appropriate for the body to be a sixth form college corporation), and the “or” before it;
  - (b) omit subsection (4) (which makes provision about consultation before the exercise of the power for that purpose).

##### *Powers of Secretary of State in relation to local authority maintained institutions*

- 7 In section 56A of the Further and Higher Education Act 1992 (intervention powers of the Secretary of State in relation to England), for subsection (1) substitute—
- “(1) This section applies if the Secretary of State is satisfied as to one or more of the matters listed in subsection (2) in the case of—
- (a) an institution in England within the further education sector, other than a sixth form college, or
  - (b) an institution in England which is maintained by a local authority and provides further education, other than an institution within the higher education sector,
- and, in either case, it is immaterial whether or not a complaint is made by any person.”

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*Status: This is the original version (as it was originally enacted).*

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*Regulation of qualification requirements for teaching staff and principals*

- 8 (1) The following provisions of the Education Act 2002 cease to have effect in relation to England—
- (a) section 136(a) (which allows regulations to be made prohibiting the provision of education at a further education institution by a person who does not have a specified qualification);
  - (b) section 136(b) (which allows regulations to be made prohibiting the provision of education at a further education institution by a person unless the person is serving or has served a probationary period);
  - (c) section 137 (which allows regulations to be made providing that a person may serve as the principal of a further education institution only if the person has a specified qualification);
  - (d) section 138 (which makes further provision for the purposes of sections 136 and 137).
- (2) Accordingly, those provisions are amended as follows—
- (a) in section 136(a), after “further education institution” insert “in Wales”;
  - (b) in section 136(b), after “further education institution” insert “in Wales”;
  - (c) in section 137(1), after “further education institution” insert “in Wales”;
  - (d) in section 138, omit subsection (2).