



# Skills and Post-16 Education Act 2022

## 2022 CHAPTER 21

### PART 4

#### MISCELLANEOUS AND GENERAL

### CHAPTER 2

#### MISCELLANEOUS PROVISIONS

##### *Institutions within the further education sector: procedure for designation*

## **32 Institutions within the further education sector: designation**

- (1) The Further and Higher Education Act 1992 is amended in accordance with subsections (2) and (3).
- (2) In section 28 (designated institutions)—
  - (a) in subsections (1) and (3A), for “The Secretary of State” substitute “The appropriate authority”;
  - (b) after subsection (3A) insert—

“(3B) In this section “the appropriate authority”—

    - (a) in relation to an educational institution in England, means the Secretary of State;
    - (b) in relation to an educational institution in Wales, means the Welsh Ministers.”
- (3) In section 89 (orders, regulations and directions)—
  - (a) in subsection (2), after “the excepted provisions are” insert “sections 28 and 29(1)(b) so far as the power under each of those provisions is exercisable by the Secretary of State, and”;
  - (b) after subsection (3B) insert—

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**Changes to legislation:** Skills and Post-16 Education Act 2022, Cross Heading: Institutions within the further education sector: procedure for designation is up to date with all changes known to be in force on or before 26 April 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

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- “(3C) An order made by the Secretary of State under section 28 or 29(1)(b) is to be published in such manner as the Secretary of State considers appropriate.”;
- (c) after subsection (5) insert—
- “(6) This section applies in relation to an order made by the Secretary of State under section 28 or 29(1)(b) that revokes or varies an order under those provisions made before the coming into force of section 32(3) of the Skills and Post-16 Education Act 2022 as if—
- (a) in subsection (2), the words “sections 28 and 29(1)(b) so far as the power under each of those provisions is exercisable by the Secretary of State, and” were omitted, and
- (b) subsection (3C) were omitted.”

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**Commencement Information**

**II** S. 32 in force at 28.6.2022, see s. 36(2)

**Changes to legislation:**

Skills and Post-16 Education Act 2022, Cross Heading: Institutions within the further education sector: procedure for designation is up to date with all changes known to be in force on or before 26 April 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.

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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. 19(2)(ga) inserted by [2023 c. 55 Sch. 4 para. 222](#)
- s. 20(7)(ca) inserted by [2023 c. 55 Sch. 4 para. 223](#)