



Further and Higher Education Act 1992

CHAPTER 13

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PART II

who is not re-appointed by the Secretary of State in pursuance of subsection (2)(b) above shall cease to hold office on that date."

1988 c. 40.

(2) An order under section 129 of the Education Reform Act 1988 (designation of institutions for the purposes of the higher education sector) in respect of any institution may revoke any order in respect of that institution under section 28 of this Act.

Variation of trust deeds.

75. In section 157 of the Education Reform Act 1988 (variation of trust deeds, etc.) for subsections (1) to (3) (variations by Secretary of State in connection with institutions in the higher education sector or designated assisted institutions) there is substituted—

"(1) An order of the Privy Council may modify any trust deed or other instrument—

- (a) relating to or regulating any such institution as is mentioned in subsection (2) below; or
- (b) relating to any land or other property held by any person for the purposes of any such institution.

(2) The institutions referred to in subsection (1) above are—

- (a) any institution conducted by a higher education corporation; and
- (b) any institution in relation to which a designation made, or having effect as if made, under section 129 of this Act has effect, other than an institution established by Royal Charter.

(3) Before making any modifications under subsection (1) above of any trust deed or other instrument the Privy Council shall so far as it appears to them to be practicable to do so consult—

- (a) the governing body of the institution;
- (b) where that deed or instrument, or any other instrument relating to or regulating the institution concerned, confers power on any other persons to modify or replace that deed or instrument, those persons; and
- (c) where the instrument to be modified is a trust deed and the trustees are different from the persons mentioned in paragraphs (a) and (b) above, the trustees."

Power to award degrees, etc.

76.—(1) The Privy Council may by order specify any institution which provides higher education as competent to grant in pursuance of this section either or both of the kinds of award mentioned in subsection (2)(a) and (b) below.

(2) The kinds of award referred to in subsection (1) above are—

- (a) awards granted to persons who complete an appropriate course of study and satisfy an appropriate assessment, and

PART II

- (b) awards granted to persons who complete an appropriate programme of supervised research and satisfy an appropriate assessment,

and in this section “award” means any degree, diploma, certificate or other academic award or distinction and “assessment” includes examination and test.

(3) An institution for the time being specified in such an order may grant any award of a kind mentioned in subsection (2)(a) or (b) above which it is competent to grant by virtue of the order to persons who complete the appropriate course of study or, as the case may be, programme of supervised research on or after the date specified in the order.

(4) An institution specified in such an order may also—

- (a) grant honorary degrees, and
- (b) grant degrees to members of the academic and other staff of the institution.

(5) Any power conferred on an institution to grant awards in pursuance of this section includes power—

- (a) to authorise other institutions to do so on behalf of the institution,
- (b) to do so jointly with another institution, and
- (c) to deprive any person of any award granted to him by or on behalf of the institution in pursuance of this section (or, in the case of an award granted to him by the institution and another institution jointly, to do so jointly with the other institution).

(6) It shall be for the institution to determine in accordance with any relevant provisions of the instruments relating to or regulating the institution the courses of study or programmes of research, and the assessments, which are appropriate for the grant of any award and the terms and conditions on which any of the powers conferred under this section may be exercised.

(7) Section 124D of the Education Reform Act 1988 applies in relation to orders under subsection (1) above as it applies in relation to the exercise of powers for the purposes of Part II of that Act. 1988 c. 40.

77.—(1) Where—

- (a) power is conferred by any enactment or instrument to change the name of any educational institution or any body corporate carrying on such an institution, and

Use of
“university” in
title of institution.

- (b) the educational institution is within the higher education sector,

then, if the power is exercisable with the consent of the Privy Council, it may (whether or not the institution would apart from this section be a university) be exercised with the consent of the Privy Council so as to include the word “university” in the name of the institution and, if it is carried on by a body corporate, in the name of the body.