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**Changes to legislation:** Education Reform Act 1988, SCHEDULE 11 is up to date with all changes known to be in force on or before 19 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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## SCHEDULES

### SCHEDULE 11 **E+W+S**

Section 202.

#### THE UNIVERSITY COMMISSIONERS

##### *Appointment*

- 1 (1) The Secretary of State shall appoint five persons to be the University Commissioners (in this Schedule referred to as “the Commissioners”).
- (2) The Secretary of State may appoint a person to fill the place of any Commissioner (including one appointed under this sub-paragraph) who dies, resigns or is removed from office.
- (3) The name of every person appointed under sub-paragraph (2) above shall be laid before Parliament.

##### *Tenure of office*

- 2 (1) A person may at any time by notice in writing to the Secretary of State resign his office as Commissioner.
- (2) If the Secretary of State is satisfied that a Commissioner is unable or unfit to discharge the functions of a Commissioner the Secretary of State may by notice in writing to the Commissioner remove him from office.

##### *Duration*

- 3 (1) Subject to sub-paragraph (2) below, the Commissioners’ duties and powers shall cease at the end of the period of three years beginning with the day on which section 202 of this Act comes into force.
- (2) The Secretary of State may by order provide for the Commissioners’ duties and powers—
- (a) to cease at the end of such shorter period; or
  - (b) to continue for such longer period,
- as may be specified in the order.

##### *Powers*

- 4 The Commissioners shall have power to do anything which appears to them necessary or expedient for the purpose of or in connection with the discharge of their functions, including in particular power to require any officer of a qualifying institution to furnish any information, or to produce any documents, relating to the institution or its instruments of government.

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#### *Remuneration*

- 5           The Secretary of State may pay the Commissioners such remuneration as he may with the consent of the Treasury determine.

#### *Staff*

- 6           (1) The Commissioners may appoint such employees as they think fit.  
(2) The Commissioners shall pay to or in respect of their employees such remuneration and allowances as they may determine.  
(3) The employees of the Commissioners shall be appointed on such terms as the Commissioners may determine.  
(4) A determination under sub-paragraph (2) or (3) above shall be ineffective unless made with the approval of the Secretary of State given with the consent of the Treasury.

#### *Expenses*

- 7           The expenses of the Commissioners shall be defrayed by the Secretary of State.

#### *Proceedings*

- 8           (1) The Secretary of State shall appoint one of the Commissioners to be chairman; and if the person so appointed—  
          (a) ceases to be a Commissioner; or  
          (b) is absent from any meeting,  
          the Commissioners present at each meeting shall choose a chairman.  
(2) The powers of the Commissioners may be exercised at a meeting at which two or more of them are present.  
(3) The validity of any proceedings of the Commissioners is not affected by any vacancy among the Commissioners or any defect in the appointment of any Commissioner.

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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. 120(4A) inserted by [2022 asc 1 Sch. 4 para. 5\(2\)](#)
- s. 124A(9A)(9B) inserted by [2022 asc 1 s. 137\(3\)](#)
- s. 125(8)(9) inserted by [2022 asc 1 s. 138\(2\)](#)
- s. 128(1)(b)(iib) omitted by [2011 c. 21 Sch. 16 para. 8](#)
- s. 128(1)(b)(iia) omitted by [2015 c. 20 Sch. 14 para. 35](#)
- s. 128(1A)-(1C) inserted by [2022 asc 1 s. 139\(3\)](#)
- s. 128(7)-(10) inserted by [2022 asc 1 s. 139\(6\)](#)
- s. 232(4ZA)-(4ZC) inserted by [2022 asc 1 s. 138\(3\)\(b\)](#)