Education Reform Act 1988

1988 CHAPTER 40

PART II

HIGHER AND FURTHER EDUCATION

CHAPTER II

REORGANISATION OF PROVISION AND FUNDING OF HIGHER EDUCATION

Supplementary

138   Construction of references to land held for the purposes of an institution.

(1) This section applies for the purpose of the construction of the following provisions of this Act—

   (a)   section 126(4)(a);

   (b)   section 130(3)(a); **F1**...

   F1(c)   . . . .

(2) Where at any time any land is used for the purposes of an institution to which any of those provisions applies, any interest of a **[F2**local authority**]** in that land subsisting at that time shall be taken for the purposes of that provision to be land held for the purposes of that institution (whether or not it is by virtue of that interest that the land is so used).

Textual Amendments

F1   S. 138(1)(c) and preceding word repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 7**

F2   Words in Act substituted (5.5.2010) by The Local Education Authorities and Children's Services Authorities (Integration of Functions) Order 2010 (S.I. 2010/1158), **Sch. 2 para. 4(2)**

Changes to legislation:
Education Reform Act 1988, Section 138 is up to date with all changes known to be in force
on or before 20 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.
View outstanding changes

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)