



Further and Higher Education Act 1992

1992 CHAPTER 13

PART III

MISCELLANEOUS AND GENERAL

84 Effect of agreements made before date of transfer.

(1) This section applies where—

- (a) (apart from this section) any land or other property of a local authority would on any date (“the date of transfer”) be transferred under ^{F1}...Part II of the ^{M1}Education Reform Act 1988 to the governing body of an institution within the further education sector or the higher education sector, and
- (b) at any time before that date the authority, the governing body of the institution and the governing body of any other institution which will on that date be an institution within the further education sector or the higher education sector have agreed in writing that the land or property should be transferred on that or a subsequent date to the governing body of that other institution.

(2) If the Secretary of State has approved the agreement at any time before the date of transfer, ^{F2}... Part II of the ^{M2}Education Reform Act 1988 shall have effect as if they required the property to be transferred in accordance with the agreement.

(3) References in this section to anything done include anything done before the passing of this Act.

[^{F3}(4) In this section “local authority” includes a non-metropolitan district council for an area for which there is a county council.]

Textual Amendments

F1 Words in s. 84(1)(a) omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\), s. 115\(3\)\(h\)](#), [Sch. 15 para. 4\(5\)\(f\)\(i\)](#)

F2 Words in s. 84(2) omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\), s. 115\(3\)\(h\)](#), [Sch. 15 para. 4\(5\)\(f\)\(ii\)](#)

Changes to legislation: Further and Higher Education Act 1992, Section 84 is up to date with all changes known to be in force on or before 22 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](#)

F3 S. 84(4) inserted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), art. 1, **Sch. 2 para. 5(7)**

Modifications etc. (not altering text)

C1 S. 84(1) modified (1.4.1993) by [S.I. 1993/563](#), art. 2, **Sch.1**

Commencement Information

I1 S. 84 wholly in force at 6.5.1992 see s. 94(3) and [S.I. 1992/831](#), art. 2, **Sch. 1**

Marginal Citations

M1 [1988 c. 40.](#)

M2 [1988 c. 40.](#)

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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. 16(6) inserted by [2007 c. 25 s. 14\(4\)](#)
- s. 17(2)(aa) inserted by [2007 c. 25 s. 14\(5\)\(b\)](#)
- s. 27(3A)(3B) inserted by [2007 c. 25 s. 15\(4\)](#)
- s. 27(9) inserted by [2007 c. 25 s. 15\(7\)](#)
- s. 51(1)-(2A) substituted for s. 51(1)(2) by [2007 c. 25 s. 16\(2\)](#)
- s. 76(8)(9) inserted by [2017 c. 29 s. 52\(4\)](#)
- s. 85D inserted by [2009 c. 22 s. 247](#)
- s. 85D(7) words inserted by [S.I. 2016/413 reg. 140](#) (This amendment comes into force on the day that section 85D of the Further and Higher Education Act 1992 (c. 13) comes into force. That provision is still prospective.)