



# Teaching and Higher Education Act 1998

## 1998 CHAPTER 30

### PART IV

#### MISCELLANEOUS AND GENERAL

##### *Funding Councils: England, Wales and Scotland*

#### **36 Power of funding councils in England and Wales to secure provision of certain further education.**

- (1) Section 3 of the <sup>M1</sup>Further and Higher Education Act 1992 (functions with respect to part-time education and full-time education for those over 18) shall be amended as follows.
- (2) For subsection (3) there shall be substituted—
- “(3) A council may secure the provision of facilities for education within paragraph (a) or (b) of subsection (1) above—
- (a) for the population of their area, where they are not required to do so by virtue of that subsection, or
- (b) for other persons.”
- (3) In subsection (5), for “to which subsection (1) above applies” there shall be substituted “within paragraph (a) or (b) of subsection (1) above”.

#### **Marginal Citations**

**M1** 1992 c. 13.

#### **<sup>F1</sup>37 Joint exercise of functions of funding councils in Scotland.**

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**Changes to legislation:** Teaching and Higher Education Act 1998, Cross Heading: Funding Councils:  
England, Wales and Scotland is up to date with all changes known to be in force on or before 12 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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**Textual Amendments**

**F1** S. 37 repealed (3.10.2005) by Further and Higher Education (Scotland) Act 2005 (asp 6), s. 36(2), **sch. 3 para. 7(a)**; S.S.I. 2005/419, art. 2(1)

<sup>F2</sup>**38** .....

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**Textual Amendments**

**F2** S. 38 repealed (1.9.2002) by 2001 c. 10, ss. 38(15), 42(6), **Sch. 9** (with s. 43(13)); S.I. 2002/2217, art. 3, **Sch. Pt. 1**

**Changes to legislation:**

Teaching and Higher Education Act 1998, Cross Heading: Funding Councils: England, Wales and Scotland is up to date with all changes known to be in force on or before 12 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. 22(4A)(4B) inserted by [2017 c. 29 s. 86\(4\)](#)
- s. 22(5)(ea) inserted by [2017 c. 29 s. 86\(5\)\(d\)](#)
- s. 22(11) inserted by [2017 c. 29 s. 86\(7\)](#)
- s. 28A inserted by [2022 c. 21 s. 15\(1\)](#)