1990 No. 481

EDUCATION, ENGLAND AND WALES

The Education (Gloucestershire College of Arts and Technology (Higher Education) Higher Education Corporation) (Dissolution) Order 1990

Made - - - -	*7th March 1990*
Laid before Parliament	*8th March 1990*
Coming into force	*1st April 1990*

In exercise of the powers conferred by section 128(1) and (2) and section 232(5) of the Education Reform Act 1988(a) the Secretary of State for Education and Science, having consulted in accordance with subsection (4) of the said section 128 Gloucestershire College of Arts and Technology (Higher Education) Higher Education Corporation(b) and the Polytechnics and Colleges Funding Council, and with the consent of the Cheltenham and Gloucester College of Higher Education Trust incorporating the Church of England Foundation of St Paul and St Mary, hereby makes the following Order:

1. This Order may be cited as the Education (Gloucestershire College of Arts and Technology (Higher Education) Higher Education Corporation) (Dissolution) Order 1990 and shall come into force on 1st April 1990 immediately after the transfers under sections 126 and 127 of the Act, as they apply in relation to the Corporation by virtue of the 1989 Order, have had effect.

2. In this Order—

"the Act" means the Education Reform Act 1988;

"the Corporation" means Gloucestershire College of Arts and Technology (Higher Education) Higher Education Corporation;

"the 1989 Order" means the Education (Higher Education Corporations) (No. 7) Order 1989(c); and

"the Trust" means the Cheltenham and Gloucester College of Higher Education Trust incorporating the Church of England Foundation of St Paul and St Mary.

3.—(1) The Corporation is hereby dissolved.

(2) The property, rights and liabilities of the Corporation, including the property, rights and liabilities vested in the Corporation by section 126 of the Act as it applies in relation to the Corporation by virtue of the 1989 Order, are hereby transferred to and shall vest in the Trust.

(3) In particular any contract of employment which by virtue of section 127(2) of the Act, as it applies in relation to the Corporation by virtue of the 1989 Order, has effect as if originally made between the employee to which it relates and the Corporation shall have effect as if originally made between that employee and the Trust.

(a) 1988 c.40.

(b) Established under section 122 of the Education Reform Act 1988 by virtue of S.I. 1989/2418.

(c) S.I. 1989/2418.

(4) Without prejudice to paragraph (3) above, all the Corporation's rights, powers, duties and liabilities under or in connection with any contract to which that paragraph applies shall by virtue of that paragraph be transferred to the Trust, and anything done before 1st April 1990 which is deemed by virtue of section 127(3)(b) of the Act to have been done by or in relation to the Corporation in respect of such a contract shall be deemed from 1st April 1990 to have been done by or in relation to the Trust.

(5) Paragraphs (3) and (4) above are without prejudice to any right of an employee to terminate his contract of employment if a substantial change is made to his detriment in his working conditions, but no such right shall arise by reason only of the change in employer effected by those paragraphs.

John MacGregor
Secretary of State for Education and Science

7th March 1990

EXPLANATORY NOTE

(This note is not part of the Order)

This Order dissolves the higher education corporation named Gloucestershire College of Arts and Technology (Higher Education) and transfers the property, rights and liabilities of that corporation to the Cheltenham and Gloucester College of Higher Education Trust incorporating the Church of England Foundation of St Paul and St Mary. Contracts of employment are included in the transfer, and the Order contains supplemental provisions which provide for the continuity of employment of those persons whose contracts are being transferred.

Certain property, rights and liabilities are transferred from Gloucestershire Local Education Authority to the Gloucestershire College of Arts and Technology (Higher Education) higher education corporation under sections 126 and 127 of the Education Reform Act 1988 on 1st April 1990 by virtue of the Education (Higher Education Corporations) (No. 7) Order 1989. The transfer effected by this Order takes effect on that date immediately after that transfer.

50p net

ISBN 0 11 003481 3

Printed in the United Kingdom by HMSO
860/WO460 C11 3/90 3195245