

**2011 No. 2487**

**EDUCATION, ENGLAND**

**The Cirencester Tertiary College Sixth Form College  
Corporation Designation (England) Order 2011**

<i>Made</i>	- - - -	<i>18th October 2011</i>
<i>Laid before Parliament</i>		<i>27th October 2011</i>
<i>Coming into force</i>	- -	<i>1st December 2011</i>

In accordance with section 33B(3) of the Further and Higher Education Act 1992(a) (“the Act”), the governing body of the Cirencester Tertiary College (“the College”) has applied for this Order to be made.

It is the opinion of the Secretary of State for Education that the College is within section 33B(4) of the Act(b).

The power conferred by section 33B(1) of the Act to make this Order is exercisable by virtue of the date, 8th March 2010, specified in an Order under section 33A(5)(b) having passed(c).

Accordingly, the Secretary of State for Education makes the following Order in exercise of the powers conferred by section 33B(1) and (7) of the Act:

**Citation and commencement**

1. This Order may be cited as The Cirencester Tertiary College Sixth Form College Corporation Designation (England) Order 2011 and comes into force on 1st December 2011.

**Designation**

2. The body corporate of the Cirencester Tertiary College, being a body corporate of the kind specified in section 33B(2) of the Act, is designated as a sixth form college corporation.

**Continuity of the body corporate**

3. Designation as a sixth form college corporation under this Order does not affect the continuity of the body corporate, and its instrument and articles of government.

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(a) 1992 c.13. Section 33B was inserted by section 125 of, and paragraphs 1 and 3 of Schedule 8 to, the Apprenticeships, Skills, Children and Learning Act 2009 (c.22).

(b) Section 33B(4) provides that a college is within that section if it appears to the Secretary of State that on the date on which the application is made at least 80% of its total enrolment number will be persons over compulsory school age but under 19.

(c) Pursuant to section 33B(8), the power under section 33B(1) is exercisable only after the date specified in an order made under section 33A(5)(b). The Order was made on the 4th March 2010 and the date specified is the 8th March 2010.

18th October 2011

*Jonathan Hill*  
Parliamentary Under Secretary of State  
Department for Education

## EXPLANATORY NOTE

*(This note is not part of the Order)*

Section 33B of the Further and Higher Education Act 1992 (“the Act”) makes provision for the body corporate of a further education corporation, or those bodies corporate established by an order under section 143(4) of the Learning and Skills Act 2000(a) in respect of an institution in England, to apply to be designated as a sixth form college corporation.

This Order designates the Cirencester Tertiary College, a former further education college, as a sixth form college corporation, the Secretary of State for Education being satisfied that the College falls within section 33B(4) of the Act.

The Order provides for the continuity of the body corporate and its instrument and articles of government.

An impact assessment has not been prepared for this instrument as no impact on the private or voluntary sectors is foreseen. The impact on the public sector is minimal.

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