

2013 No. 1724 (W. 168)

EDUCATION, WALES

**The Ystrad Mynach College Further
Education Corporation
(Dissolution) Order 2013**

EXPLANATORY NOTE

(This note is not part of the Order)

This Order dissolves the further education corporation established to conduct Ystrad Mynach College with effect from 1 August 2013. It provides for the transfer of the property, rights and liabilities of Ystrad Mynach College Further Education Corporation to Coleg Morgannwg Further Education Corporation. The Order also secures the employment rights of persons employed by Ystrad Mynach College Further Education Corporation by applying, with modifications, section 26(2) to (4) of the Further and Higher Education Act 1992 (c.13) (“the Act”).

The application of section 26(2) to (4) of the Act has the effect of preserving the employment contracts of employees of Ystrad Mynach College Further Education Corporation as if the contracts of employment were originally made between the employees and Coleg Morgannwg Further Education Corporation. The employees of Ystrad Mynach College Further Education Corporation will become employees of Coleg Morgannwg Further Education Corporation from 1 August 2013.

A Regulatory Impact Assessment has not been prepared for this instrument as it has no impact on the costs of business.

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EDUCATION, WALES

**The Ystrad Mynach College Further
Education Corporation
(Dissolution) Order 2013**

Made 9 July 2013

Laid before the National Assembly for Wales

11 July 2013

Coming into force 1 August 2013

The Welsh Ministers make the following Order in exercise of the powers conferred by section 27C of the Further and Higher Education Act 1992⁽¹⁾.

In accordance with section 27C(2) of that Act, Coleg Morgannwg Further Education Corporation (“*Corfforaeth Addysg Bellach Coleg Morgannwg*”)⁽²⁾ has consented to the transfer of the property, rights and liabilities of Ystrad Mynach College Further Education Corporation (“*Corfforaeth Addysg Bellach Coleg Ystrad Mynach*”)⁽³⁾.

The Welsh Ministers have consulted with Ystrad Mynach College Further Education Corporation (“*Corfforaeth Addysg Bellach Coleg Ystrad Mynach*”) in accordance with section 27C(6) of the Act.

Title and commencement

1. The title of this Order is the Ystrad Mynach College Further Education Corporation (Dissolution) Order 2013 and it comes into force on 1 August 2013.

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- (1) 1992 c.13; section 27C was substituted for section 27 as originally enacted by the Education Act 2011 (c.21) section 49, Schedule 12 paragraphs 1 and 7.
- (2) Established as “Pontypridd Technical College” by the Education (Further Education Corporations) Order 1992 (S.I. 1992/2097).
- (3) Established by the Education (Further Education Corporations) Order 1992 (S.I. 1992/2097).

Interpretation

2. In this Order “the Act” (“*y Ddeddf*”) means the Further and Higher Education Act 1992.

Dissolution and transfer

3. On 1 August 2013 Ystrad Mynach College Further Education Corporation (“*Corfforaeth Addysg Bellach Coleg Ystrad Mynach*”) is dissolved and its property, rights and liabilities are transferred in accordance with section 27C(2) of the Act to Coleg Morgannwg Further Education Corporation (“*Corfforaeth Addysg Bellach Coleg Morgannwg*”), being a body corporate established for purposes which include the provision of educational facilities or services.

Transfer of staff

4. Section 26(2), (3) and (4) of the Act applies to any person employed by Ystrad Mynach College Further Education Corporation (“*Corfforaeth Addysg Bellach Coleg Ystrad Mynach*”) immediately before 1 August 2013 as if the references in that section—

- (a) to a person to whom that section applies were to a person so employed;
- (b) to the operative date were to 1 August 2013;
- (c) to the transferor were to Ystrad Mynach College Further Education Corporation (“*Corfforaeth Addysg Bellach Coleg Ystrad Mynach*”); and
- (d) to the corporation were to Coleg Morgannwg Further Education Corporation (“*Corfforaeth Addysg Bellach Coleg Morgannwg*”).

Huw Lewis

Minister for Education and Skills,
one of the Welsh Ministers

9 July 2013