
WELSH STATUTORY INSTRUMENTS

2013 No. 1729 (W. 170)

EDUCATION, WALES

The Swansea Metropolitan University Higher
Education Corporation (Dissolution) Order 2013

<i>Made</i>	- - - -	9 July 2013
<i>Laid before the National Assembly for Wales</i>	- -	11 July 2013
<i>Coming into force</i>	- -	1 August 2013

The Welsh Ministers make the following Order in exercise of the powers conferred on the Secretary of State by section 128 of the Education Reform Act 1988(1) and now exercisable by them(2).

In accordance with section 128(2) of the Education Reform Act 1988, the University of Wales Trinity Saint David(3) (“*Prifysgol Cymru y Drindod Dewi Sant*”), being a body corporate established for purposes which include the provision of educational facilities or services within the meaning of section 128(1)(b)(ii) of that Act, has consented to the transfer to it of the property, rights and liabilities of the Swansea Metropolitan University Higher Education Corporation(4) (“*Corfforaeth Addysg Uwch Prifysgol Fetropolitan Abertawe*”).

The Welsh Ministers have consulted the Swansea Metropolitan University Higher Education Corporation and the Higher Education Funding Council for Wales in accordance with section 128(4) of that Act.

Title and commencement

1. The title of this Order is the Swansea Metropolitan University Higher Education Corporation (Dissolution) Order 2013 and it comes into force on 1 August 2013.

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- (1) 1988 c.40. Section 128 was amended by the Further and Higher Education Act 1992 (c.13), Schedule 8, paragraph 34; the Learning and Skills Act 2000 (c.21), Schedule 9, paragraphs 1 and 16; the Education Act 2011 (c.21), section 67 and Schedule 16, paragraph 8; the Charities Act 2011 (c.25), Schedule 7, paragraph 51; the National Council for Education and Training for Wales (Transfer of Functions to the National Assembly for Wales and Abolition) Order 2005 (S.I. 2005/3238) (W.243), Schedule 1, paragraph 12 and the Apprenticeships, Skills, Children and Learning Act 2009 (Consequential Amendments) (England and Wales) Order 2010 (S.I. 2010/1080), paragraphs 15 and 16.
- (2) The functions of the Secretary of State under section 128 were transferred, so far as exercisable in relation to Wales, to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672). By virtue of section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c.32) those functions are exercisable by the Welsh Ministers.
- (3) The University of Wales Trinity Saint David is a corporation established under Royal Charter.
- (4) Established as a higher education corporation under section 122(1) of the Education Reform Act 1988 by virtue of S.I. 1991/1976.

Interpretation

2. In this Order—

“the Swansea Metropolitan Corporation” (“*Corfforaeth Fetropolitan Abertawe*”) means the Swansea Metropolitan University Higher Education Corporation.

Dissolution of Swansea Metropolitan University

3. On 1 August 2013 the Swansea Metropolitan Corporation is dissolved and all of its property, rights and liabilities are transferred to the University of Wales Trinity Saint David.

4. Section 127 of the Education Reform Act 1988 applies to any person employed by the Swansea Metropolitan Corporation immediately before 1 August 2013 as if references in that section to—

- (a) a person to whom that section applies were to a person so employed;
- (b) the transfer date were to 1 August 2013;
- (c) the transferor authority were to the Swansea Metropolitan Corporation;
- (d) the corporation were to the University of Wales Trinity Saint David.

9 July 2013

Huw Lewis
Minister for Education and Skills, one of the
Welsh Ministers

EXPLANATORY NOTE

(This note is not part of the Order)

This Order dissolves the higher education corporation established to conduct Swansea Metropolitan University. Swansea Metropolitan University was established as a higher education corporation under section 122 of the Education Reform Act 1988 as Swansea Institute of Higher Education and changed its name to Swansea Metropolitan University with the consent of the Privy Council.

This Order provides for all property, rights and liabilities to which Swansea Metropolitan University was entitled or subject to immediately before its dissolution to be transferred to the University of Wales Trinity Saint David.

This Order also makes provision for section 127 of the Education Reform Act 1988 to apply in relation to persons who were employed by Swansea Metropolitan University immediately before 1 August 2013. Section 127 of the 1988 Act, as applied by this Order, makes provision for the transfer of such employees to the University of Wales Trinity Saint David on 1 August 2013 and in respect of associated rights and duties of the University of Wales Trinity Saint David and the transferred employees.

The University of Wales Trinity Saint David is a corporation established under Royal Charter.