

Instrument & Articles of Government

In March 2012 BIS issued a Modification Order effective from 31 March 2012 reflecting changes under the Education Act 2011. The main changes are: removal of Funding Council powers to appoint additional governors, removal of Funding Council consent to establish a college company, transfer of powers of intervention from the Funding Council to the Secretary of State, removal of duty for corporations to promote well-being of local communities, removal of requirement for an Order by the Secretary of State for a college to merge or dissolve, removal of restrictions on membership, ability of corporations to amend their Instrument and Articles. The need to seek Funding Council consent for borrowing is also removed under the new Financial Memorandum.

The Modification Order applies to the Instrument and Articles Replacement Order 2007 [effective from 1 January 2008] and technical changes in the Modification Order 1 April 2010.