



Education Reform Act 1988

1988 CHAPTER 40

PART III

EDUCATION IN INNER LONDON

Disposal of functions and property of ILEA

^{F1}165 Development plans for education.

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Textual Amendments

F1 [S. 165](#) repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004](#) (c. 14), [Sch. 1 Pt. 5](#) Group 4

^{F2}166

Textual Amendments

F2 Ss. 166-167 repealed (1.9.1999) by [1998 c. 31](#), s. 140(3), [Sch.31](#) (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), [Sch. 1](#).

^{F3}167

Textual Amendments

F3 Ss. 166-167 repealed (1.9.1999) by [1998 c. 31](#), s. 140(3), [Sch.31](#) (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), [Sch. 1](#).

Changes to legislation: Education Reform Act 1988, Cross Heading: Disposal of functions and property of ILEA is up to date with all changes known to be in force on or before 12 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

168 Transfers of property, rights and liabilities.

- (1) The Secretary of State may by an order or orders made at any time before the abolition date provide for the transfer to each inner London council of—
 - (a) such of the property, rights and liabilities of ILEA (other than excepted rights and liabilities) as, in his opinion, need to be so transferred for the purpose of enabling that council properly to perform its LEA functions; and
 - (b) such of the rights and liabilities of ILEA (other than excepted rights and liabilities) as, in his opinion, it is appropriate to transfer to that council for the purposes of or in connection with the exercise by that council by virtue of section 166 of this Act of functions in relation to, or in relation to registered pupils at, any grant-maintained school which were formerly exercisable by ILEA.
- (2) The Secretary of State may by such an order or orders provide for the transfer to any local authority other than an inner London council of such of the property, rights and liabilities of ILEA (other than excepted rights and liabilities) as do not in his opinion fall to be transferred to such a council by virtue of subsection (1) above.
- (3) Any transfer for which provision is made by order under this section may be on such terms, including financial terms, as the Secretary of State thinks fit and the Secretary of State may by order create or impose such new rights or liabilities in respect of what is transferred as appear to him to be necessary or expedient.
- (4) The Secretary of State may by order confer on any inner London council or local authority to which property is transferred by or under the order any statutory functions which before the abolition date were exercisable in relation to that property by ILEA.
- (5) In this section “excepted rights and liabilities” means rights and liabilities arising under contracts of employment between ILEA and its employees.

^{F4}169 Approval of management structure and senior appointments in initial period.

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Textual Amendments

F4 S. 169 repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), [Sch. 1 Pt. 5](#) Group 4

Changes to legislation:

Education Reform Act 1988, Cross Heading: Disposal of functions and property of ILEA is up to date with all changes known to be in force on or before 12 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 120(4A) inserted by [2022 asc 1 Sch. 4 para. 5\(2\)](#)
- s. 124A(9A)(9B) inserted by [2022 asc 1 s. 137\(3\)](#)
- s. 125(8)(9) inserted by [2022 asc 1 s. 138\(2\)](#)
- s. 128(1)(b)(iib) omitted by [2011 c. 21 Sch. 16 para. 8](#)
- s. 128(1)(b)(iia) omitted by [2015 c. 20 Sch. 14 para. 35](#)
- s. 128(1A)-(1C) inserted by [2022 asc 1 s. 139\(3\)](#)
- s. 128(7)-(10) inserted by [2022 asc 1 s. 139\(6\)](#)
- s. 232(4ZA)-(4ZC) inserted by [2022 asc 1 s. 138\(3\)\(b\)](#)