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DRAFT STATUTORY INSTRUMENTS

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**2018 No.**

**The West Midlands Combined Authority  
(Adult Education Functions) Order 2018**

**PART 2**

Adult education functions of the Secretary of State transferred to the Combined Authority or to be exercisable concurrently with the Combined Authority

**Transfer of functions from the Secretary of State to the Combined Authority in relation to the Area**

**3.—(1)** Subject to paragraph (2), the functions of the Secretary of State set out in the following provisions of the 2009 Act are exercisable by the Combined Authority in relation to the Area—

- (a) section 86 (education and training for persons aged 19 or over and others subject to adult detention)**(1)**;
- (b) section 87 (learning aims for persons aged 19 or over: provision of facilities)**(2)**; and
- (c) section 88 (learning aims for persons aged 19 or over: payment of tuition fees)**(3)**.

**(2)** The functions mentioned in paragraph (1) do not include —

- (a) any functions relating to apprenticeship training;
- (b) any functions relating to persons subject to adult detention; or
- (c) any power to make regulations or orders.

**(3)** The functions mentioned in paragraph (1) are exercisable by the Combined Authority instead of by the Secretary of State.

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**(1)** Section 86 was amended by paragraphs 1, 2 and 9 of Part 1 of Schedule 14 to the Deregulation Act 2015 (c.20); by paragraphs 88 and 90 of Part 2 of Schedule 3 to the Children and Families Act 2014 (c. 6); and by section 30 of, and paragraphs 1 and 7 of Schedule 18 to, the Education Act 2011 (c.21).

**(2)** Section 87 was amended by paragraphs 1 and 10 of Part 1 of Schedule 14 to the Deregulation Act 2015 (c.20); and by paragraph 91 of Part 2 of Schedule 3 to the Children and Families Act 2014 (c.6).

**(3)** Subsection (1) is amended by section 114(2) of the Digital Economy Act 2017 (c.30), on a date to be appointed. Section 88 was amended by paragraph 11 of Part 1 of Schedule 14 to the Deregulation Act 2015 (c.20) and by section 73 of the Education Act 2011 (c 21).