

SCHEDULE

Article 6

Modification of provisions of the 2009 Act in their application to the Combined Authority

1. All references to provisions in this Schedule are to provisions in the 2009 Act.
2. Section 86 has effect as if—
 - (a) in subsection (1), for each reference to “Secretary of State” there were substituted a reference to “Combined Authority”;
 - (b) subsection (1)(b) were omitted but not “and” at the end;
 - (c) in subsection (1)(c), for “paragraphs (a) and (b)”, there were substituted “paragraph (a)”;
 - (d) in subsection (5), the words “(except so far as relating to facilities for persons subject to adult detention)” were omitted;
 - (e) in subsection (6), paragraph (c) in the definition of “training” were omitted; and
 - (f) in subsection (7), the words “or (b)” were omitted.
3. Section 87 has effect as if for each reference to “Secretary of State”, there were substituted a reference to “Combined Authority”.
4. Section 88 has effect as if in subsections (1), (2)(b), (2A), (3), (4)(b) and (6)(a) for each reference to “Secretary of State”, there were substituted a reference to “Combined Authority”.
5. Section 90 has effect as if—
 - (a) in subsection (1), for the first reference to “Secretary of State”, there were substituted a reference to “Combined Authority”;
 - (b) in subsection (1)(a), for “section 86(1)(a) and (b)”, there were substituted “section 86(1)(a)”;
 - (c) in subsection (1)(a), (b) and (c) for each reference to “Secretary of State’s remit” there were substituted the words “Combined Authority’s remit”.
6. Section 100 has effect as if—
 - (a) in subsection (1), for the reference to “Secretary of State” there were substituted “Combined Authority”;
 - (b) in subsection (1)(a), for the reference to “Secretary of State’s remit” there were substituted “Combined Authority’s remit”;
 - (c) in subsection (3), for each reference to “Secretary of State” there were substituted a reference to “Combined Authority”; and
 - (d) in subsection (4), for the reference to “Secretary of State” there were substituted a reference to “Combined Authority”.
7. Section 101(1) has effect as if for each reference to “Secretary of State” there were substituted a reference to “Combined Authority”.
8. Section 103(2) has effect as if—
 - (a) for the reference to “Secretary of State” there were substituted a reference to “Combined Authority”; and
 - (b) the words “or (1A)” were omitted.

(1) Section 101 was amended by paragraphs 3 and 14 of Part 1 of Schedule 14 to the Deregulation Act 2015(c. 20).

(2) Section 103 was amended by paragraphs 4 and 16 of Part 1 of Schedule 14 to the Deregulation Act 2015 (c.20).

- 9.** Section 115(3) has effect as if—
- (a) for the reference to “Secretary of State”, there were substituted “Combined Authority”;
 - (b) in subsection (2)(a), the word “, and” were omitted; and
 - (c) in subsection (2), paragraph (b) were omitted.
- 10.** Section 121(4) has effect as if—
- (a) in subsection (1), there were added at the appropriate place—
 - ““Combined Authority” means the West Midlands Combined Authority, a body corporate established under the West Midlands Combined Authority Order 2016;”;
 - (b) in subsection (2)—
 - (i) for the reference to “Secretary of State’s remit”, there were substituted the words “Combined Authority’s remit”; and
 - (ii) in paragraph (a), the words “or (b)” were omitted; and
 - (c) in subsection (3)—
 - (i) for the reference to “Secretary of State’s remit”, there were substituted the words “Combined Authority’s remit”; and
 - (ii) paragraphs (a) and (aa) were omitted.

(3) Section 115 was amended by paragraph 23 of Part 1 of Schedule 14 to the Deregulation Act 2015(c. 20); and by paragraphs 88 and 93 of Part 2 of Schedule 3 to the Children and Families Act 2014 (c. 6).

(4) Subsection (1) is amended by paragraphs 1 and 30 of Schedule 1 to the Technical and Further Education Act 2017 (c.19) on a date to be appointed. Section 121 was amended by paragraph 22 of Part 1 of Schedule 1 and paragraph 27 of Part 1 of Schedule 14 to the Deregulation Act 2015 (c.20); and by paragraphs 1 and 12 of Schedule 18 to the Education Act 2011 (c.21).