

SCHEDULE 2

Consequential and Connected Amendments

PART 1

Education Acts

School Standards and Framework Act 1998 (c. 31)

10.—(1) SSFA 1998 is amended as follows.

(2) For “local education authority” and “LEA” in each place where those words occur (except in section 30(2)(d)) substitute “local authority”.

(3) For “local education authorities” and “LEAs” in each place where those words occur substitute “local authorities”.

(4) Sub-paragraphs (2) and (3) are subject to any other amendment made by this paragraph.

(5) In section 23A(10)(1) after the definition of “institution” insert—

““local authority” includes a non-metropolitan district council for an area for which there is a county council;”.

(6) In section 45A(2)—

(a) in subsection (1)—

(i) for “LEA budget” substitute “non-schools education budget”;

(ii) after “all” insert “education”;

(b) in subsection (2) after “all” insert “education”;

(c) in subsection (3) after “planned” insert “education”;

(d) in subsection (4B)(3) for “imposed on the authority in their capacity as a local education authority” substitute “an education function of the authority”;

(e) at the end add—

“(7) In this section “education expenditure” means expenditure incurred by a local authority in connection with the performance of their education functions.”

(7) In section 47A(10)(b)(4) omit “in their capacity as a children’s services authority within the meaning of that Act”.

(8) In section 49(4) for “LEA budget” substitute “non-schools education budget”.

(9) In section 52(5)—

(a) before “expenditure” in each place where that word occurs insert “education”;

(b) at the end add—

“(7) In this section “education expenditure” has the same meaning as in section 45A.”

(1) Section 23A was inserted by section 33 of the Education and Inspections Act 2006 (c.40).

(2) Section 45A was inserted by section 41(1) of the Education Act 2002

(3) Section 45A(4B) was inserted by section 202 of the Apprenticeships, Skills, Children and Learning Act 2009

(4) Section 47A was inserted by section 43 of the Education Act 2002; subsection (10) is inserted by section 194(8)(b) of the Apprenticeships, Skills, Children and Learning Act 2009.

(5) Section 52 was amended by section 253 of the Apprenticeships, Skills, Children and Learning Act 2009 to apply in relation to Wales only.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (10) In section 77(7) for the definition of “local authority” substitute—
 ““local authority” includes—
 (a) a non-metropolitan district council for an area for which there is a county council, and
 (b) a parish council;”.
- (11) In section 95(2A)(6) for “a local authority in England” substitute “such an authority”.
- (12) In section 95A(7)—
 (a) for paragraph (a) of subsection (1) substitute—
 “(a) the admission authority for a community or voluntary controlled school in England is a local authority;”;
 (b) in subsection (2) for “local education authority” substitute “admission authority”.
- (13) In section 143—
 (a) omit the entry relating to LEA budget;
 (b) at the appropriate place in the table insert—
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|---|-----------------|
| “non-schools education budget (in Part 2) | Section 45A(1)” |
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- (14) In Schedule 22—
 (a) in paragraph A5(8)—
 (i) in sub-paragraph (3) for the words from “the local education authority” to the end substitute “notice of their intention to do so to the authority mentioned in sub-paragraph (1)(a)”;
 (ii) at the end add—
 “(4) In this paragraph “local authority” includes a non-metropolitan district council for an area for which there is a county council.”;
- (b) in paragraph A11—
 (i) in sub-paragraph (3) for the words from “the local education authority” to the end substitute “notice of their intention to do so to the authority mentioned in sub-paragraph (1)(a)”;
 (ii) at the end add—
 “(4) In this paragraph “local authority” includes a non-metropolitan district council for an area for which there is a county council.”;
- (c) in paragraph A17—
 (i) in sub-paragraph (3) for the words from “the local education authority” to the end substitute “notice of their intention to do so to the authority mentioned in sub-paragraph (1)(a)”;
 (ii) at the end add—
 “(4) In this paragraph “local authority” includes a non-metropolitan district council for an area for which there is a county council.”;
- (d) in paragraph (c) of paragraph A20(5) after the words “local authority” insert “(within the meaning of paragraph A5, A11 or A17 as the case may be)”;
- (e) in paragraph A23(8)—

(6) Section 95(2A) was inserted by section 48(1) of the Education and Inspections Act 2006.

(7) Section 95A was inserted by section 48(1) of the Education and Inspections Act 2006.

(8) Part A1 of Schedule 22 was inserted by Schedule 4 to the Education and Inspections Act 2006.

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- (i) in paragraph (b) before the word “functions” insert “education”;
- (ii) in paragraph (c) for the words “local authority” (in the first place where they occur) to the end substitute “authority in the exercise of any of their relevant functions”;
- (f) in paragraph 5 at the end add—
 - “(7) In this paragraph “local authority” includes a non-metropolitan district council for an area for which there is a county council.”