

SCHEDULE 2

Consequential and Connected Amendments

PART 2

Acts other than the Education Acts

Childcare Act 2006 (c.21)

58.—(1) The Childcare Act 2006 is amended as follows.

(2) In section 15—

(a) for subsection (1) substitute—

“(1) Section 496 of the 1996 Act (powers of Secretary of State to prevent unreasonable exercise of functions) applies in relation to the powers conferred or duties imposed on an English local authority by or under this Part as it applies in relation to the powers conferred or duties imposed on a local authority in England by or under the 1996 Act.”;

(b) in subsection (2) for “local education authority in England” substitute “local authority in England”;

(c) for subsection (3) substitute—

“(3) Section 497A of the 1996 Act (power to secure proper performance of a local authority's education functions) applies in relation to an English local authority's functions under this Part as it applies in relation to the education functions of a local authority in England.

(3A) In subsection (3) “education functions” has the meaning given by section 579(1) of the 1996 Act.”;

(d) omit subsection (5).

(3) In section 28 for “functions conferred on a local education authority in their capacity as such” substitute “education functions (as defined in section 579(1) of the Education Act 1996)”.

(4) In section 29—

(a) in subsection (1) omit “a local education authority in Wales and”;

(b) in subsection (2) for “a local education authority in Wales” substitute “such an authority”;

(c) in subsection (3) for “LEA” substitute “local authority” and for “the functions of a local education authority in Wales mentioned in subsection (1) of that section” substitute “the education functions (as defined in section 579(1) of the 1996 Act) of such an authority”;

(d) omit subsection (5).

(5) In section 101(9), in paragraph (a) of the definition of “funded nursery education” for “local education authority” substitute “local authority” and for “LEA” substitute “local authority”.

Commencement Information

II Sch. 2 para. 58 in force at 5.5.2010, see **art. 1**

Changes to legislation:

There are currently no known outstanding effects for the The Local Education Authorities and Children's Services Authorities (Integration of Functions) Order 2010, Paragraph 58.