

SCHEDULE 4

Article 5(3)

Transitional Provisions

1. The table in paragraph 2 of the Schedule inserted into EA 1996 by article 3(4) has effect—
 - (a) until the date on which sections 31 to 33 of the Learning and Skills (Wales) Measure 2009 come into force, with the omission of the entries relating to sections 33J to 33L of the Learning and Skills Act 2000, and
 - (b) until the date on which sections 11 to 13 of the Education (Wales) Measure 2009 come into force, with the omission of the entries relating to sections 28IC to 28IE of the Disability Discrimination Act 1995.

- 2.—(1) If section 194 of the Apprenticeships, Skills, Children and Learning Act 2009 comes into force on or before the day on which this Order comes into force, Schedule 2 to this Order has effect with the omission of—
 - (a) paragraph 16(7), and
 - (b) the entries in Schedule 3 relating to section 194(8)(b) and (9)(b) of the Apprenticeships, Skills, Children and Learning Act 2009.(2) If sub-paragraph (1) does not apply, Schedule 2 to this Order has effect with the omission of—
 - (a) paragraphs 10(7) and 11(7), and
 - (b) the entries in Schedule 3 relating to—
 - (i) section 47A(10)(b) of SSFA 1998, and
 - (ii) section 21(10) of EA 2002.

3. Until section 51 of the Apprenticeships, Skills, Children and Learning Act 2009 comes into force, Part 2 of Schedule 2 to this Order has effect with the omission of paragraph 43.

4. If Schedule 6 and Part 2 of Schedule 16 to the Apprenticeships, Skills, Children and Learning Act 2009 are not in force on the day on which this Order comes into force, this Order has effect as if—
 - (a) in Schedule 1, in the entry for sections 96, 101 and 102 of the Learning and Skills Act 2000, after “96,” there were inserted “97,”
 - (b) after paragraph 46(2) of Schedule 2 there were inserted—
 - “(2A) In section 7(3) after the definition of “funding period” insert—
““local authority” means a local authority in England (within the meaning of section 579(1) of the Education Act 1996);”.
 - (2B) In section 18 after subsection (8) add—
“(9) In this section “local authority in England” has the same meaning as in the Education Act 1996 (see section 579(1) of that Act);”.
 - (2C) In section 18C after subsection (8) add—
“(9) The reference to local authorities in subsection (4) is a reference to each local authority any part of whose area falls within the area of the regional council, and in this section “local authority” has the same meaning as in section 7.”
 - (c) in paragraph 46(9) of Schedule 2, after “local authority” there were inserted “, “local authority in England””.

- 5.—(1) In the provisions specified in sub-paragraph (2) (to the extent that they continue in force by virtue of any savings made, in connection with their repeal by the Teaching and Higher Education Act 1998, by an order under section 46(4) of that Act) for “local education authority” and “local

Status: This is the original version (as it was originally made).

education authorities” in each place where those words occur substitute “local authority” and “local authorities” respectively.

(2) The provisions are—

- (a) the Education Act 1962⁽¹⁾;
- (b) section 3 of the Education Act 1973⁽²⁾;
- (c) section 2(3) of the Education (Fees and Awards) Act 1983;
- (d) section 209 of the Education Reform Act 1988;
- (e) the Education (Student Loans) Act 1990⁽³⁾.

6. In sections 60(4) and 61(4) and (5) of EA 1996 (to the extent that these provisions continue in force by virtue of any savings made, in connection with their repeal by SSFA 1998, by an order under section 145(3) of that Act) for “local education authority” in each place where those words occur substitute “local authority”.

(1) 1962 c.12
(2) 1973 c.16
(3) 1990 c.6