



# Education Reform Act 1988

## 1988 CHAPTER 40

### PART III

#### EDUCATION IN INNER LONDON

##### *Miscellaneous and supplementary*

#### **195 Continuity of exercise of functions.**

- (1) The abolition of ILEA shall not affect the validity of anything done by ILEA before the abolition date.
- (2) Anything which at that date is in process of being done by or in relation to ILEA in the exercise of or in connection with any statutory functions which by virtue of any provision made by or under this Part become functions of the inner London councils in respect of their respective areas or (as the case may be) of some other local authority or of the London Residuary Body may be continued by or in relation to the successor authority.
- (3) References in this section, in relation to any statutory functions, to the successor authority are references to the inner London council or other local authority or body by which those functions become exercisable or (as the case may be) become exercisable in respect of the area in question.
- (4) Any instrument made by ILEA in exercise of or in connection with any functions to which subsection (2) above applies, and any other thing done by or in relation to ILEA before the abolition date in exercise of or in connection with any such functions shall, so far as required for continuing its effect on and after that date, have effect as if made by, or done by or in relation to, the successor authority.
- (5) Any reference above in this section to any instrument made by, or to any other thing done by or in relation to, ILEA includes a reference to any instrument or other thing which by virtue of any enactment is treated as having been made by, or done by or in relation to, ILEA.

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**Changes to legislation:** Education Reform Act 1988, Section 195 is up to date with all changes known to be in force on or before 14 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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- (6) So far as is required for giving effect to the preceding provisions of this section—
- (a) any reference in any document to ILEA shall be construed as a reference to the successor authority; and
  - (b) any reference in any document to ILEA's area (whether as the Inner London Education Area or otherwise), or to any part of that area comprising the successor authority's area, shall be construed as a reference to the successor authority's area.
- (7) For the purposes of subsection (6)(b) above, the London Residuary Body's area shall be taken to be the area comprising the areas of all the inner London councils.
- (8) Any question under this section as to which is the successor authority in respect of any particular functions may be determined by a direction given by the Secretary of State.
- (9) The preceding provisions of this section—
- (a) are without prejudice to any provision made by this Part in relation to any particular functions; and
  - (b) shall not be construed as continuing in force any contract of employment made by ILEA.
- (10) The Secretary of State may, in relation to any particular functions, by order exclude, modify or supplement any of the preceding provisions of this section or make such other transitional provision as he thinks necessary or expedient.

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**Modifications etc. (not altering text)**

**C1** S. 195(2), (4)–(8) modified by [S.I. 1990/124](#), [art. 12\(2\)](#)

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 120(4A) inserted by [2022 asc 1 Sch. 4 para. 5\(2\)](#)
- s. 124A(9A)(9B) inserted by [2022 asc 1 s. 137\(3\)](#)
- s. 125(8)(9) inserted by [2022 asc 1 s. 138\(2\)](#)
- s. 128(1)(b)(iib) omitted by [2011 c. 21 Sch. 16 para. 8](#)
- s. 128(1)(b)(iia) omitted by [2015 c. 20 Sch. 14 para. 35](#)
- s. 128(1A)-(1C) inserted by [2022 asc 1 s. 139\(3\)](#)
- s. 128(7)-(10) inserted by [2022 asc 1 s. 139\(6\)](#)
- s. 232(4ZA)-(4ZC) inserted by [2022 asc 1 s. 138\(3\)\(b\)](#)