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STATUTORY INSTRUMENTS

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**2018 No. 930**

**The Local Government (Structural Changes)  
(General) (Amendment) Regulations 2018**

**Amendment of the Local Government (Structural Changes) (Further Transitional and Supplementary Provision and Miscellaneous Amendments) Regulations 2009**

7.—(1) The Local Government (Structural Changes) (Further Transitional and Supplementary Provision and Miscellaneous Amendments) Regulations 2009(1) are amended in accordance with paragraphs (2) to (7).

(2) In regulation 1(2)(a) (citation etc.)—

(a) in paragraph (v) omit “or”; and

(b) after paragraph (vi) insert—

“(vii) regulations under section 3 of the Public Services Pensions Act 2013(2) (scheme regulations); or”.

(3) In regulation 3—

(a) in paragraph (1), in the list of sections—

(i) before the entry for section 7 insert “section 6A (requirement to seek proposals for establishment of new Academies)(3),”; and

(ii) after the entry for section 7 insert “section 7A (withdrawal of notices under section 7)(4),”; and

(iii) after the entry for section 11 insert “section 11A (restriction on power of governing body to make proposals)(5),”; and

(b) in paragraph (5)—

(i) for “The School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2007” substitute “The School Organisation (Establishment and Discontinuance of Schools) Regulations 2013(6)”; and

(ii) for “the School Organisation (Prescribed Alteration to Maintained Schools) (England) Regulations 2007” substitute “the School Organisation (Prescribed Alteration to Maintained Schools) (England) Regulations 2013(7)”.

(4) In regulation 8(1) (interpretation of Part 4)—

(a) for the definition of “the 2003 Regulations” substitute—

““the 2015 Regulations” means the Accounts and Audit Regulations 2015(8),”; and

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(1) S.I. 2009/276, amended by S.I. 2010/22 and S.I. 2010/1172.

(2) 2013 c. 25.

(3) Section 6A was inserted by paragraph 2 of Schedule 11 to the Education Act 2011 (c. 21).

(4) Section 7A was inserted by paragraph 4 of Schedule 11 to the Education Act 2011 (c. 21).

(5) Section 11A was inserted by section 7 of the Children, Schools and Families Act 2010 (c. 26).

(6) S.I. 2013/3109, amended by S.I. 2013/3110 and S.I. 2014/2103.

(7) S.I. 2013/3110, amended by S.I. 2014/2103.

(8) S.I. 2015/234.

- (b) for the definition of “statement of accounts” substitute—
- ““statement of accounts” means the statement required by regulation 7(1) (statement of accounts for Category 1 authorities) of the 2015 Regulations.”.
- (5) In regulation 9 (responsibility for preparation of final accounts of predecessor councils) for paragraph (4) substitute—
- “(4) The 2015 Regulations shall have effect for the purposes of paragraphs (1) to (3) as if—
- (a) in regulation 7 (statement of accounts for Category 1 authorities)—
    - (i) in paragraph (1) the reference to an authority were a reference to the single tier council and not to any of its related predecessor councils; and
    - (ii) in paragraphs (2) and (5) the reference to an authority were a reference to a predecessor council and not to its related single tier council;
  - (b) in regulation 8 (narrative statements)—
    - (i) the references to an authority were references to the single tier council and not to any of its related predecessor councils; and
    - (ii) in paragraph (2) the reference to an authority’s financial performance and economy, efficiency and effectiveness were reference to those matters in relation to a predecessor council and not to its related single tier council;
  - (c) in regulation 9 (signing and approval of statement of accounts, etc.)—
    - (i) the reference to the responsible financial officer were a reference to the section 151 officer; and
    - (ii) in paragraphs (1)(a) and (3)(a) and (b) the references to an authority were references to a predecessor council and not to its related single tier council; and
  - (d) the requirement in regulation 10(1) (publication of statement of accounts, etc.) were a requirement for the single tier council to publish the final accounts of each of its predecessor councils.”.
- (6) In regulation 10 (transitional responsibility for preparation of final accounts, etc.) for paragraph (2) substitute—
- “(2) The 2015 Regulations shall have effect for the purposes of paragraph (1) as if in regulation 7 (statement of accounts for Category 1 authorities)—
- (a) in paragraph (1) the reference to an authority were a reference to the preparing or shadow council and not to any of its related predecessor councils; and
  - (b) in paragraphs (2) and (5) the references to an authority were references to a predecessor council and not to its related preparing or shadow council.”.
- (7) In regulation 11 (other transitional provisions relating to financial matters)—
- (a) for paragraph (1) substitute—

“(1) Not later than the reorganisation date each predecessor council must, in accordance with regulation 6 (review of internal control) of the 2015 Regulations, prepare and approve an annual governance statement (having conducted a review as mentioned in paragraph (1) (a) of that regulation and having considered the findings of that review as mentioned in paragraph (2)(a) of that regulation).”;
  - (b) omit paragraph (6); and
  - (c) in paragraph (7) for “statement of internal control” substitute “annual governance statement”.

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

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