

SCHEDULE 2

Consequential and Connected Amendments

PART 2

Acts other than the Education Acts

Children and Young Persons Act 1933 (c. 12)

17.—(1) The Children and Young Persons Act 1933 is amended as follows.

(2) In section 96—

(a) for subsection (1) substitute—

“(1) In Part 2 of this Act “local authority” has the same meaning as in the Education Act 1996 (see section 579(1) of that Act).”;

(b) omit subsections (3), (4) and (4A).

(3) Omit sections 97 and 98.

Public Health Act 1936 (c. 49)

18. In section 85(7) of the Public Health Act 1936 for “as a local education authority” substitute “under Chapter 2 of Part 9 of the Education Act 1996”.

Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951 (c. 65)

19.—(1) Part 1 of the Second Schedule to the Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951 is amended as follows.

(2) In paragraph 9—

(a) in the first column for “local education authority” substitute “local authority”;

(b) in the second column for “The local education authority” substitute “The local authority by whom the school or institution is maintained”.

(3) In paragraph 10, in the second column, for “The local education authority” substitute “The local authority by whom the school is maintained”.

(4) In paragraph 11—

(a) in the first column for “local education authority” substitute “local authority”;

(b) in the second column for “The local education authority” substitute “The local authority by whom the institution is assisted”.

London Government Act 1963 (c. 33)

20. Omit section 30 of the London Government Act 1963.

Children and Young Persons Act 1963 (c. 37)

21. Omit section 56 of the Children and Young Persons Act 1963.

Veterinary Surgeons Act 1966 (c. 36)

22. In paragraph 5 of Schedule 3 to the Veterinary Surgeons Act 1966(1) for “local education authority” substitute “local authority”.

Children and Young Persons Act 1969 (c. 54)

23.—(1) The Children and Young Persons Act 1969 is amended as follows.

(2) In section 9(1) omit “or a local education authority”.

(3) In section 70(1), in the definition of “local authority”, omit “except in relation to proceedings under section 1 of this Act instituted by a local education authority”.

Chronically Sick and Disabled Persons Act 1970 (c. 44)

24. In section 8(2)(b) of the Chronically Sick and Disabled Persons Act 1970(2) for “local education authorities” substitute “local authorities”.

Local Authority Social Services Act 1970 (c. 42)

25.—(1) Schedule 1 to the Local Authority Social Services Act 1970 is amended as follows.

(2) In the entry relating to the Children and Young Persons Act 1969, in the first column, omit the words from “except” to the end.

(3) In the entry relating to the Disabled Persons (Services, Consultation and Representation) Act 1986(3) for the words in the first column substitute—
“Sections 1 to 4, 5(5), 7 and 8”.

(4) In the entry relating to the Children Act 1989(4)—

(a) in the first column after “The whole Act” insert “except section 36 and paragraphs 12 to 19(1) of Schedule 3 (education supervision orders)”;

(b) in the second column for “and local education authorities” substitute “and local authorities in the exercise of education functions”.

(5) In the entry relating to the Education Act 1996(5) for “local education authority” substitute “another local authority”.

Local Government Act 1972 (c.70)

26.—(1) The Local Government Act 1972 is amended as follows.

(2) In section 104(2)—

(a) in the opening words, for “local education authority” substitute “local authority”;

(b) in paragraph (a) for “any functions with respect to education conferred on them in their capacity as local education authorities” substitute “any education functions as defined in section 579(1) of the Education Act 1996”.

(3) In section 134—

(a) in subsections (1) and (2) for “local education authority” substitute “local authority”;

(b) after subsection (5) insert—

(1) Paragraph 5 of Schedule 3 was amended by paragraph 66 of Schedule 12 to the Education Reform Act 1988.

(2) Section 8 (2) (b) was amended by paragraph 69 of Schedule 12 to the Education Reform Act 1988.

(3) The entry for this Act was inserted by paragraph 7 of Schedule 5 to the [Local Government Act 2000 \(c..22\)](#).

(4) The entry relating to the Children Act 1989 was inserted by paragraph 26(2) of Schedule 13 to that Act

(5) The entry relating to the Education Act 1996 was inserted by paragraph 18 of Schedule 37 to that Act.

“(6) In subsections (1) and (2) “local authority” has the meaning given by section 579(1) of the Education Act 1996.”

Superannuation Act 1972 (c. 11)

27.—(1) Section 9 of the Superannuation Act 1972 is amended as follows.

(2) In subsection (5) for “local education authorities” substitute “local authorities, or, in Scotland, education authorities”.

(3) In subsection (5A)(6) for “local education authority” substitute “local authority”.

(4) In subsection (6) after the definition of “injury benefit” insert—

““local authority” has the meaning given by section 579(1) of the Education Act 1996;

(5) Omit subsection (7).

Employment and Training Act 1973 (c. 50)

28.—(1) The Employment and Training Act 1973 is amended as follows.

(2) In section 10—

(a) in subsections (1) to (8) for “local education authorities” in each place where those words occur substitute “local authorities”;

(b) in subsection (10) for “local education authority” substitute “local authority”.

(3) In section 10A(1)(7) for “local education authority” substitute “local authority”.

(4) In section 12(1A) and (2)(8) for “local education authority” substitute “local authority or (in Scotland) education authority”.

(5) In section 13(1)—

(a) before the definition of “employee” insert—

““education authority” has the meaning given by section 135(1) of the Education (Scotland) Act 1980(9);”;

(b) for the definition of “local education authority” substitute—

““local authority” has the meaning given by section 579(1) of the Education Act 1996;

Sex Discrimination Act 1975 (c. 65)

29.—(1) The Sex Discrimination Act 1975 is amended as follows.

(2) In sections 15, 22, 23 and 24 for “local education authority” in each place where those words occur substitute “local authority”.

(3) In section 25(2) and (6) for “local education authority”, and “local education authorities” in each place where those words occur substitute “local authority” and “local authorities”.

(4) In section 82(1) after the definition of “independent school” insert—

““local authority” has the meaning given by section 579(1) of the Education Act 1996;

(6) Section 9(5A) was inserted by the Pensions (Miscellaneous Provisions) Act 1990 (c. 7) section 11.

(7) Section 10A was inserted by Trade Union Reform and Employment Rights Act 1993 (c.19) section 46.

(8) Section 12(1A) was inserted by the Employment Act 1988 (c. 19) Schedule 2, paragraph 2(2).

(9) 1980 c. 44; section 135(1) was amended by paragraph 118(9) of Schedule 13 to the Local Government etc. (Scotland) Act 1994 (c. 39).

Race Relations Act 1976 (c. 74)

30.—(1) The Race Relations Act 1976 is amended as follows.

(2) In sections 14, 17 and 18 for “local education authority” in each place where those words occur substitute “local authority”.

(3) In section 57(5A) for “local education authorities” substitute “local authorities”.

(4) In paragraph 46 of Schedule 1A⁽¹⁰⁾ for “local education authorities” substitute “local authorities”.

(5) In section 78(1) after the definition of “independent school” insert—

““local authority” has the meaning given by section 579(1) of the Education Act 1996;

Education (Scotland) Act 1980 (c. 44)

31.—(1) The Education (Scotland) Act 1980 is amended as follows.

(2) In section 23(1) for “local education authority” substitute “local authority (as defined in section 579(1) of the Education Act 1996)”.

(3) In section 50(4) for “local education authority” substitute “local authority (as defined in section 579(1) of the Education Act 1996)”.

(4) In section 51(2B) for “local education authority” substituted “local authority (as defined in section 579(1) of the Education Act 1996)”.

Public Passenger Vehicles Act 1981 (c. 14)

32.—(1) Section 46 of the Public Passenger Vehicles Act 1981 is amended as follows.

(2) For “local education authority” in each place where those words occur substitute “local authority”.

(3) In subsection (3) after the definition of “free school transport” insert—

““local authority” has the meaning given by section 579(1) of the Education Act 1996;

Representation of the People Act 1983 (c. 2)

33.—(1) The Representation of the People Act 1983 is amended as follows.

(2) In paragraph 22(1) of Schedule 1 for “local education authority” substitute “local authority”.

(3) In Schedule 5—

(a) for “local education authority” in each place where those words occur substitute “local authority”;

(b) after paragraph 5 insert—

“**5A.** In paragraphs 1 and 2 “local authority” has the meaning given by section 579(1) of the Education Act 1996.”;

(c) in paragraph 6(a) for “any reference” substitute the “reference in paragraph 1(1)”.

Transport Act 1985 (c. 67)

34.—(1) The Transport Act 1985 is amended as follows.

(10) Schedule 1A was inserted by Schedule 1 to the Race Relations (Amendment) Act 2000 (c.34).

(2) In section 6(1B)(11) for “local education authority” in each place where those words occur substitute “local authority”.

(3) In section 88—

(a) for subsection (2)(b) substitute—

“(b) of all—

(i) local authorities in England and Wales, or,

(ii) education authorities in Scotland or local authorities exercising social work functions in Scotland,

in relation to any expenditure on transport for the purposes of or in connection with the exercise and performance of any of the functions set out in subsection (2A);”;

(b) after subsection (2) insert—

“(2A) The functions referred to in subsection (2)(b) are—

(a) in relation to local authorities in England and Wales, their education functions (as defined in section 579(1) of the Education Act 1996) and their social services functions;

(b) in relation to Scotland, their functions as education authorities and their social work functions.”;

(c) in subsection (3) for the words from the beginning to the end of paragraph (a) (but not the “and” immediately after it) substitute—

“(3) In subsection (2)(b) “local authority” means—

(a) in relation to England and Wales, a county council, a metropolitan district council, a non-metropolitan district council for an area for which there is no county council, a county borough council, a London borough council, and the Common Council of the City of London (in their capacity as a local authority);”.

Disabled Persons (Services, Consultation and Representation) Act 1986 (c. 33)

35.—(1) The Disabled Persons (Services, Consultation and Representation) Act 1986 is amended as follows.

(2) In section 5 for “local education authority” in each place where those words occur substitute “local authority”.

(3) In section 7(9) for the definition of “the appropriate officer” substitute—

““the appropriate officer” of a local authority is such officer discharging education functions (as defined in section 579(1) of the Education Act 1996) of that authority or, in Scotland, functions of that authority in their capacity as an education authority, as may be appointed by the authority for the purposes of this section;”.

Copyright, Designs and Patents Act 1988 (c. 48)

36. In section 174(2) of the Copyright, Designs and Patents Act 1988 for “local education authority” substitute “local authority (as defined in section 579(1) of the Education Act 1996) or (in Northern Ireland) a local education authority.”.

(11) Section 6(1B) was inserted by paragraph 2(3) of Schedule 10 to the Education and Inspections Act 2006.

Children Act 1989 (c. 41)

37.—(1) The Children Act 1989 is amended as follows.

(2) In section 24(2)(d)(i) for “, Primary Care Trust or local education authority” substitute “or Primary Care Trust or by a local authority in the exercise of education functions”.

(3) In section 24C(12)—

(a) in subsection (2)(b) for “, Primary Care Trust or local education authority” substitute “or Primary Care Trust or by a local authority in the exercise of education functions”;

(b) after subsection (3) insert—

“(4) In a case where a child was accommodated by a local authority in the exercise of education functions, subsection (2) applies only if the local authority who accommodated the child are different from the local authority within whose area the child proposes to live.”

(4) Omit section 27(3)(b).

(5) Omit section 28.

(6) In section 30—

(a) omit subsection (3);

(b) in subsection (4) for “local education authority” substitute “education”.

(7) In section 36—

(a) in subsection (1) for “local education authority” in both places where those words occur substitute “local authority”;

(b) in subsection (7) for “local education authority” substitute “local authority”;

(c) in subsection (8)—

(i) for “local education authority” substitute “local authority”;

(ii) at the end insert “if different”.

(8) In section 47—

(a) in subsection (5) for “the relevant local education authority” substitute—

“the local authority (as defined in section 579(1) of the Education 1996), if different, specified in subsection (5ZA).

(5ZA) The local authority referred to in subsection (5) is—

(a) the local authority who —

(i) maintain any school at which the child is a pupil, or

(i) make arrangements for the provision of education for the child otherwise than at school pursuant to section 19 of the Education Act 1996, or

(b) in a case where the child is a pupil at a school which is not maintained by a local authority, the local authority in whose area the school is situated.”;

(b) in subsection (11) omit paragraph (b).

(9) In section 80—

(a) in subsection (1)(c) for “local education authority or” substitute “local authority in the exercise of education functions or a”;

(b) in subsection (5)—

(i) in paragraph (e) omit “local education authority.”;

(12) Section 24C was inserted by section 4(1) of the Children (Leaving Care) Act 2000 (c. 35).

- (ii) omit paragraph (f);
 - (iii) in paragraph (g) for “a local education authority” substitute “a local authority” and omit “or local education authority”.
- (10) In section 85—
- (a) in subsection (1) for “, NHS foundation trust or local education authority” substitute “or NHS foundation trust or by a local authority in the exercise of education functions”;
 - (b) after subsection (2) insert—
 - “(2A) In a case where the child is provided with accommodation by a local authority in the exercise of education functions, subsections (1) and (2) apply only if the local authority providing the accommodation is different from the responsible authority.”
- (11) In section 87(13), in subsections (4), (4A) and (10), for “local education authority” in each place where those words occur substitute “local authority”.
- (12) In section 87B(2)(14) for “local education authority” in both places where those words occur substitute “local authority”.
- (13) In section 105(1)—
- (a) after the definition of “dwelling house” insert—
 - ““education functions” has the meaning given by section 579(1) of the Education Act 1996;
 - (b) omit the definition of “local education authority”.
- (14) In Schedule 3—
- (a) in paragraph 17(1)(c) for “the local education authority concerned” substitute “the local authority designated in the order”;
 - (b) in paragraph 19(1) for “the local education authority concerned shall notify the appropriate local authority” substitute “the local authority designated in the order shall notify the appropriate local authority, if different”.
- (15) In paragraph 1(1)(b) of Schedule 9A(15) for “local education authority” substitute “local authority”.

Local Government and Housing Act 1989 (c. 42)

- 38.**—(1) The Local Government and Housing Act 1989 is amended as follows.
- (2) In section 2(10)(a) for “local education authority” substitute “local authority”.
 - (3) Section 13 is amended as follows.
 - (4) In subsection (5)—
 - (a) in the opening words for “local education authority” substitute “local authority”;
 - (b) in paragraph (a) for the words from “functions” to the end substitute “education functions of the authority”;
 - (c) in paragraph(b) for the words from “functions” to the end substitute “education functions of the authorities”.
 - (5) In subsection (9)—

(13) Section 87(1) to (5) was substituted by section 105(2) of the Care Standards Act 2000.

(14) Section 87B was inserted by section 38 of the Deregulation and Contracting Out Act 1994 (c.40) and subsection (2) amended by section 106(2) of the Care Standards Act 2000.

(15) Schedule 9A was inserted by Schedule 3 to the Care Standards Act 2000.

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

- (a) omit “and” immediately following the definitions of “council manager”, “executive” and “mayor and council manager executive”;
- (b) after those definitions insert—
 - ““education functions” has the meaning given by section 579(1) of the Education Act 1996; and”.

Environmental Protection Act 1990 (c. 43)

39. In section 98(2)(c)(iii) of the Environmental Protection Act 1990 for “local education authority” substitute “local authority as defined in section 579(1) of the Education Act 1996”.

Disability Discrimination Act 1995 (c. 50)

40.—(1) The Disability Discrimination Act 1995 is amended as follows.

(2) In section 14A(5)(**16**), for paragraph (b) of the definition of “qualifications body” (but not the “or” immediately after it) substitute—

- “(b) a local authority (as defined in section 579(1) of the Education Act 1996) when exercising education functions (as defined in that section),”.

(3) In section 28D(**17**)—

- (a) in subsections (1), (4) and (5) for “local education authority” substitute “local authority”;
- (b) for subsection (16) substitute—

“(16) In this section and in section 28E “local authority” has the meaning given by section 579(1) of the Education Act 1996.”

(4) In section 28E(1), (2), (5) (6) and (7) for “local education authority” substitute “local authority”.

(5) In section 28F—

- (a) in subsection (1)(a) for “local education authority” substitute “local authority”;
- (b) for subsection (6) substitute—

“(6) In this section and section 28G, “local authority” has the meaning given by section 579(1) of the Education Act 1996.”

(6) In section 28G(5) and (7)(a) for “local education authority” substitute “local authority”.

(7) In section 28U—

- (a) in the title for “local education authorities substitute “local authorities”;
- (b) for “local education authority” in each place where those words occur substitute “local authority”.

(8) In section 31AA(6)(a)(**18**) for sub-paragraph (ii) substitute—

“(ii) a local authority (as defined in section 579(1) of the Education Act 1996) when exercising education functions (as defined in that section),

(9) In Schedule 4A for “local education authority” in each place where those words occur substitute “local authority as defined in section 579(1) of the Education Act 1996”.

(10) In the title to Part 1 of Schedule 4C for “Local Education Authorities” substitute “Local Authorities”.

(16) Section 14A was inserted by [SI 2003/1673](#).

(17) Sections 28D to 28U and Schedule 4A were inserted by section 14 of , and Schedule 2 to, the Special Educational needs and Disability Act [2001 \(c. 10\)](#)

(18) Section 31AA was inserted by section 15 of the Disability Discrimination Act [2005 \(c 15\)](#).

- (11) In paragraph 1 of Schedule 4C(19), in the substituted section 28R—
- (a) in the title, for “local education authorities” substitute “local authorities”;
 - (b) in subsections (1) to (6) for “local education authority” in each place where those words occur substitute “local authority”;
 - (c) in subsection (7)—
 - (i) in the definitions of “responsible body” and “further education” for “local education authority” substitute “local authority”;
 - (ii) for the definition of “local education authority” substitute—
““local authority” has the meaning given by section 579(1) of the Education Act 1996.”
- (12) In paragraph 6 of Schedule 4C, in the substituted section 28R—
- (a) in the title, for “local education authorities” substitute “local authorities”;
 - (b) in subsection (5) for “local education authority” substitute “local authority”;
 - (c) in subsection (6)—
 - (i) in the definitions of “responsible body” and “recreational or training facilities” for “local education authority” substitute “local authority”;
 - (ii) for the definition of “local education authority” substitute—
““local authority” has the meaning given by section 579(1) of the Education Act 1996;
 - (iii) in the definition of “recruitment or training facilities” for “local education authorities” in both places where those words occur substitute “local authorities”.

Employment Rights Act 1996 (c. 18)

41.—(1) The Employment Rights Act 1996 is amended as follows.

- (2) In section 50(9)(a) for “local education authority” substitute “local authority (as defined in section 579(1) of the Education Act 1996)”.
- (3) In section 134—
- (a) for “local education authority” in each place where those words occur, substitute “local authority”;
 - (b) at the end insert—
“(3) In this section “local authority” has the meaning given by section 579(1) of the Education Act 1996.”
- (4) In section 139—
- (a) in subsection (3) for “local education authority” substitute “local authority”;
 - (b) at the end insert—
“(7) In subsection (3) “local authority” has the meaning given by section 579(1) of the Education Act 1996.”
- (5) In section 218—
- (a) in subsection (7) for “local education authority” in both places where those words occur substitute “local authority”;
 - (b) at the end insert—

(19) Schedule 4C was substituted by [SI 2006/1721](#).

“(11) In subsection (7) “local authority” has the meaning given by section 579(1) of the Education Act 1996.”

Data Protection Act 1998 (c. 29)

42.—(1) Schedule 11 of the Data Protection Act 1998 is amended as follows.

(2) In paragraphs 3 and 4 for “local education authority” in each place where those words occur substitute “local authority”.

(3) After paragraph 4 insert—

“**4A.** In paragraphs 3 and 4 “local authority” has the meaning given by section 579(1) of the Education Act 1996.”

Crime and Disorder Act 1998 (c. 37)

43.—(1) Section 42 of the Crime and Disorder Act 1998 (sections 37 to 42: supplementary provisions) is amended as follows.

(2) In subsection (1), in the definition of “local authority” after ““local authority”” insert “(except in section 39A)”.

(3) After subsection (2) insert—

“(2A) So far as relating to the Isles of Scilly, subsection (2) does not apply for the purposes of section 39A.”

Greater London Authority Act 1999 (c. 29)

44. In section 193(3) of the Greater London Authority Act 1999 for “local education authority” in each place where those words occur substitute “local authority”.

Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)

45. In paragraphs 3(8) and 7(2) and (3) of Schedule 6 to the Powers of Criminals Courts (Sentencing) Act 2000 for “local education authority” in each place where those words occur substitute “local authority”.

Learning and Skills Act 2000 (c. 21)

46.—(1) The Learning and Skills Act 2000 is amended as follows.

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

(3) In section 36(3) after the definition of “funding period” insert —

““local authority” means a local authority in Wales (within the meaning of section 579(1) of the Education Act 1996);”.

(4) In section 74(1) before the definition of “the National Assembly” insert —

““local authority in Wales” has the same meaning as in the Education Act 1996 (see section 579(1) of that Act);”.

(5) In sections 77(5), 83(3) and (6) and 84(3) after “authority” insert “in Wales”.

(6) In section 96 after subsection (8) add —

“(9) In this section and sections 100 to 102 “local authority” has the same meaning as in the Education Act 1996 (see section 579(1) of that Act).”

- (7) In section 110 after subsection (5) add —
“(6) In this section “local authority” has the same meaning as in the Education Act 1996 (see section 579(1) of that Act).”
- (8) In section 113(3) for paragraphs (a) and (b) substitute “those powers and duties were conferred by that Act”.
- (9) In section 113A(11)(20) after the definition of “alteration” insert —
““local authority” and “local authority in Wales” have the same meaning as in the Education Act 1996 (see section 579(1) of that Act);”.
- (10) In section 139B(21) for subsection (8) substitute —
“(8) “local authority in England” and “school year” have the same meaning as in the Education Act 1996 (see section 579(1) of that Act).”
- (11) In section 140 after subsection (5) insert —
“(5A) “Local authority in Wales” has the same meaning as in the Education Act 1996 (see section 579(1) of that Act).”

Local Government Act 2000 (c. 22)

- 47.**—(1) Schedule 1 to the Local Government Act 2000 is amended as follows.
- (2) In paragraphs 7(1), 8(1) and 9(1) for “which is a local education authority” substitute “which has education functions”.
- (3) in paragraph 10—
(a) for “local education authorities” substitute “local authorities”;
(b) for “local education authority” substitute “local authority”.
- (4) After paragraph 11 insert—
“**11A.** In paragraphs 7 to 9 “education functions” has the meaning given by section 579(1) of the Education Act 1996.”

Political Parties, Elections and Referendums Act 2000 (c. 41)

- 48.**—(1) Paragraph 3 of Schedule 12 to the Political Parties, Elections and Referendums Act 2000 is amended as follows.
- (2) In sub-paragraph (2)(a) for “local education authority” substitute “local authority”.
- (3) After sub-paragraph (4) insert—
“(5) In this paragraph “local authority” has the meaning given by section 579(1) of the Education Act 1996.”

Criminal Justice and Court Services Act 2000 (c. 43)

- 49.**—(1) Section 36 of the Criminal Justice and Court Services Act 2000 is amended as follows.
- (2) In subsection (6)(d) for “local education authority” substitute “local authority”.
- (3) In subsection (14) for the definition of “education functions” substitute—
““education functions” in relation to a local authority has the meaning given by section 579(1) of the Education Act 1996.”.

(20) Section 113A was inserted by the Education Act 2002 section 72 and amended by paragraph 49 of Schedule 6 to the Apprenticeships, Skills, Children and Learning Act 2009.

(21) Section 139B was inserted by the Education and Skills Act 2008 section 80.

Adoption and Children Act 2002 (c. 38)

50.—(1) The Adoption and Children Act 2002 is amended as follows.

(2) In section 4(9)—

- (a) for the words from “functions” to “1996” substitute “education functions (as defined in section 579(1) of the Education Act 1996) of another local authority (as defined in section 579(1) of that Act)”;
- (b) for the words “or local education authority” substitute “or other local authority”.

(3) In section 8—

- (a) omit subsection (2)(c);
- (b) at the end insert—

“(4) In this section “local authority” includes any body that is a local authority as defined in section 579(1) of the Education Act 1996 (in addition to the bodies mentioned in the definition in section 144(1)).”

Nationality, Immigration and Asylum Act 2002 (c. 41)

51.—(1) The Nationality, Immigration and Asylum Act 2002 is amended as follows.

(2) In section 36—

- (a) in subsection (1) for “local education authority” in both places where those words occur substitute “local authority”;
- (b) in subsection (4)(b) for “local education authority” substitute “local authority”.

(3) In section 37 for “local education authority” in each place where those words occur, substitute “local authority”.

Anti-social Behaviour Act 2003 (c. 38)

52. In sections 19 to 21, 22A(22) and 24 of the Anti-social Behaviour Act 2003 for “local education authority” and “local education authorities” in each place where those words occur substitute “local authority” and “local authorities” respectively.

Criminal Justice Act 2003 (c. 44)

53.—(1) Section 325 of the Criminal Justice Act 2003 is amended as follows.

(2) In subsection (3) for “functions under any other enactment” substitute “relevant functions”.

(3) In subsection (6)—

- (a) in paragraph (c) for “local education authority” substitute “local authority acting in the exercise of its relevant functions”;
- (b) in paragraph (d) omit “or social services authority”.

(4) In subsection (9)—

- (a) for “local education authority” substitute “local authority”;
- (b) at the appropriate places insert the following definitions—

““education functions” has the meaning given by section 579(1) of the Education Act 1996;”;

““relevant functions means—

(22) Section 22A was inserted by section 99(3) of the Education and Inspections Act 2006 (c. 40).

- (a) in the case of a local authority, the education functions and the social services functions of that authority;
- (b) in the case of any other person specified in subsection (6), the functions of that person under any other enactment;”,
“social services functions” has the meaning given by section 1A of the Local Authority Social Services Act 1970.”;
- (c) omit the definition of “social services authority”.

Carers (Equal Opportunities) Act 2004 (c. 15)

54.—(1) Section 3 of the Carers (Equal Opportunities) Act 2004 is amended as follows.

- (2) Omit subsection (5)(b).
- (3) In subsection (7) omit the definition of “local education authority”.

Children Act 2004 (c. 31)

55.—(1) The Children Act 2004 is amended as follows.

(2) In Part 2 for “children’s services authority” and “children’s services authorities” in each place where those words occur substitute “local authority” and “local authorities” respectively.

(3) In section 10(4)(fa)(**23**) omit “in their capacity as a local education authority”.

(4) In section 18—

- (a) in subsection (2)(a)—
 - (i) insert “education” before “functions”;
 - (ii) omit “in their capacity as a local education authority”;
- (b) in subsection (3)(e)—
 - (i) after “other” insert “education”;
 - (ii) omit “in their capacity as a local education authority”;

(c) for subsection (10) substitute—

“(10) In this section—

“the appointed day” means such day as the Secretary of State may by order appoint;
“education functions” has the meaning given by section 579(1) of the Education Act 1996.”

(5) In Part 3 for “children’s services authority” and “children’s services authorities” in each place where those words occur substitute “local authority” and “local authorities” respectively.

(6) In sections 45 and 46 for “children’s services authority ” in each place where those words occur substitute “local authority ”.

(7) In section 49(1) and (2) for “children’s services authority” in each place where those words occur substitute “local authority”.

(8) In section 50—

(a) for subsection (1) substitute—

“(1) Section 497A of the Education Act 1996 (power to secure proper performance of a local authority’s education functions) applies in relation to the functions of a local

(23) Section 10(4)(fa) was inserted by section 193(2)(a) of the Apprenticeships, Skills, Children and Learning Act 2009 .

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authority which are specified in subsection (2) as it applies in relation to a local authority's education functions.

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

- (b) in subsection (2)—
 - (i) for the opening words substitute "The functions of a local authority are—";
 - (ii) in paragraph (c) for "children's services authority" in both places where those words occur substitute "local authority";
- (c) in subsection (4) for "relevant functions of a children's services authority in England or Wales" substitute "functions of a local authority which are specified in subsection (2)";
- (d) omit subsection (5);
- (e) in subsection (6) for "relevant functions of a children's services authority in England or Wales" substitute "the functions of a local authority which are specified in subsection (2)".

Income Tax (Trading and Other Income) Act 2005 (c.5)

56.—(1) Section 71 of the Income Tax (Trading and Other Income) Act 2005 is amended as follows.

- (2) For subsection (1)(a) substitute —
 - "(a) a local authority (but only to the extent that the services of the employee are made available to the authority for the purposes of, or in connection with, the education functions of the authority),".
- (3) In subsection (1)(b) for "by a local education authority" substitute ", in the exercise of their education functions, by a local authority".
- (4) After subsection (3) add —
 - "(4) In subsection (1) "local authority" and "education functions" have the same meaning as in the Education Act 1996 (see section 579(1) of that Act)."

Equality Act 2006 (c.3)

57.—(1) The Equality Act 2006 is amended as follows.

- (2) In section 49 for "local education authority" in each place where those words occur substitute "local authority".
- (3) In section 51 —
 - (a) for subsection (1) substitute—
 - "(1) It is unlawful for a local authority in England and Wales in the exercise of their education functions, or for an education authority in Scotland in the exercise of their functions, to discriminate against a person.";
 - (b) in subsection (2) for "local education authorities" substitute "local authorities";
 - (c) after subsection (3) insert—
 - "(4) In this section "local authority" and "education functions" have the meanings given by section 579(1) of the Education Act 1996."
- (4) In section 66(2)(a) for "local education authority" substitute "local authority".

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”.

Government of Wales Act 2006 (c.32)

59.—(1) The Government of Wales Act 2006 is amended as follows.

- (2) In Field 5 in Part 1 of Schedule 5 substitute “local authorities” for “local education authorities” in each place where those words occur.
- (3) In Table 2 in paragraph 35(4) of Schedule 11—
- (a) in the description for the entry relating to section 207(4) of the Education Act 2002, for “local education authorities” substitute “local authorities”;
- (b) in the description for the entry relating to section 40(3)(a) of the Education Act 2005, for “local education authority” substitute “local authority”;
- (c) in the description for the entry relating to section 52(5) of the Education Act 2005, for “LEAs” substitute “local authorities”.

National Health Service Act 2006 (c. 41)

60.—(1) The National Health Service Act 2006 is amended as follows.

- (2) in section 254(2) for paragraph (c) substitute—

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“(c) a local authority (as defined in section 579(1) of the Education Act 1996) for the purposes of the exercise of any education functions (as defined in that section).”

(3) In section 256(1)(c) for “an authority which is a local education authority for the purposes of the Education Act 1996” substitute “a local authority (as defined in section 579(1) of the Education Act 1996)”.

(4) In section 275(1) omit the definition of “local education authority”.

(5) In Schedule 1—

(a) in paragraph 1 for “local education authorities” substitute “local authorities”;

(b) in paragraphs 2, 4, 5 and 7A(24) for “local education authority” in each place where those words occur substitute “local authority”.

National Health Service (Wales) Act 2006 (c. 42)

61.—(1) The National Health Service (Wales) Act 2006 is amended as follows.

(2) In section 192(2) for paragraph (c) substitute—

“(c) a local authority (as defined in section 579(1) of the Education Act 1996) for the purposes of the exercise of any education functions (as defined in that section).”

(3) In section 194(1)(c) for “an authority which is a local education authority for the purposes of the Education Act 1996” substitute “a local authority (as defined in section 579(1) of the Education Act 1996)”.

(4) In section 206(1) omit the definition of “local education authority”.

(5) In Schedule 1—

(a) in paragraph 1 for “local education authorities” substitute “local authorities”;

(b) for “local education authority” in each place where those words occur substitute “local authority”.

Safeguarding Vulnerable Groups Act 2006 (c.47)

62.—(1) The Safeguarding Vulnerable Groups Act 2006 is amended as follows.

(2) In section 21—

(a) in subsection (10)(a) for “educational or” substitute “education functions or its”;

(b) in subsection (11) before the definition of “educational records” insert—

““education functions” has the meaning given by section 579(1) of the Education Act 1996;”;

(c) in subsection (11) for the definition of “local authority” substitute—

““local authority” has the meaning given by section 579(1) of the Education Act 1996;

(d) in subsection (11) in the definition of “social services functions” for “that Act” substitute “the Local Authority Social Services Act 1970”.

(3) In Schedule 4—

(a) in paragraph 4(7), for the definition of “education functions” substitute—

““education functions”, in relation to a local authority, has the meaning given by section 579(1) of the Education Act 1996;”;

(b) in paragraph 8 for sub-paragraph (7) substitute—

(24) Paragraph 7A of Schedule 1 was inserted by section 143 of the Health and Social Care Act 2008 (c. 14).

“(7) In relation to a local authority which has not appointed a director of children’s services under section 18 of the Children Act 2004, in sub-paragraph (1)(b) above the word “adult” must be ignored.”

Criminal Justice and Immigration Act 2008 (c.4)

63.—(1) The Criminal Justice and Immigration Act 2008 is amended as follows.

(2) In Schedule 1—

- (a) in paragraph 25 for “local education authority” in each place where those words occur substitute “local authority”;
- (b) in the second column of the Table in paragraph 34(4) for “local education authority” substitute “local authority”.

(3) For paragraph 5(5) of Schedule 3 substitute—

“(5) The references to a local authority in paragraph 25 of that Schedule (education requirement) (except in sub-paragraph (6) of that paragraph) have effect as references to an Education and Library Board established under Article 3 of the Education and Libraries (Northern Ireland) Order 1986 ([SI 1986/594 \(NI 3\)](#)).”

(4) After paragraph 5(6) of Schedule 3 insert—

“(6A) The reference in the second column of the Table in paragraph 34(4) of that Schedule (additional persons to whom court must give a copy of the order) to the local authority specified under paragraph 25(2) of that Schedule has effect as a reference to the Education and Library Board specified under that paragraph.”

Health and Social Care Act 2008 (c.14)

64. In section 144 of the Health and Social Care Act 2008 for “local education authority” in each place where those words occur substitute “local authority”.

Children and Young Persons Act 2008 (c. 23)

65.—(1) Section 31 of the Children and Young Persons Act 2008 is amended as follows.

(2) In subsection (6) for “children’s services authority” substitute “local authority”.

(3) In subsection (10)—

- (a) in the definition of “the appropriate Local Safeguarding Children Board” for “children’s services authority in England or in Wales” substitute “local authority”;
- (b) for the words ““children’s services authority in England” and “children’s services authority in Wales” have” substitute ““local authority” has”.

Corporation Tax Act 2009 (c.4)

66.—(1) Section 71 of the Corporation Tax Act 2009 is amended as follows.

(2) For subsection (1)(a) substitute—

“(a) a local authority (but only to the extent that the services of the employee are made available to the authority for the purposes of, or in connection with, the education functions of the authority),”.

(3) In subsection (1)(b) for “by a local education authority” substitute “, in the exercise of their education functions, by a local authority”.

(4) After subsection (3) add—

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“(4) In subsection (1) “local authority” and “education functions” have the same meaning as in the Education Act 1996 (see section 579(1) of that Act).”.