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*Changes to legislation: Education Reform Act 1988, Cross Heading: Functions of London Residuary Body is up to date with all changes known to be in force on or before 21 April 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)*



# Education Reform Act 1988

## 1988 CHAPTER 40

### PART III

#### EDUCATION IN INNER LONDON

##### *Functions of London Residuary Body*

#### **<sup>F1</sup>176 Provision of services and facilities by London Residuary Body.**

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##### **Textual Amendments**

**F1** Ss. 175-178 repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), [Sch. 1 Pt. 5](#) Group 4

#### **<sup>F1</sup>177 Repayment by London Residuary Body of loans to ILEA.**

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##### **Textual Amendments**

**F1** Ss. 175-178 repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), [Sch. 1 Pt. 5](#) Group 4

#### **<sup>F1</sup>178 Liability of London Residuary Body for redundancy and compensation payments.**

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##### **Textual Amendments**

**F1** Ss. 175-178 repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), [Sch. 1 Pt. 5](#) Group 4

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## 179 Payment of pensions and pensions increase by London Residuary Body.

- (1) All liabilities of ILEA in respect of pensions payable by it shall on the abolition date become liabilities of the London Residuary Body.
- (2) The reference in subsection (1) above to pensions includes a reference to allowances, grants or other benefits in respect of past service, death, injury or disease (whether of the pensioner or another person) and any such compensation as is mentioned in section 8(1)(b) or (c) of the <sup>M1</sup>Pensions (Increase) Act 1971.
- (3) At the end of Part II of Schedule 2 to that Act (pensions payable out of local funds) there shall be inserted—

“64C A pension payable by the London Residuary Body, being a pension which would fall within any of the foregoing paragraphs of this Part of this Schedule if references to a local authority had continued to include references to the Inner London Education Authority.”

- (4) In paragraph 1(5) of Schedule 3 to that Act (cases where increase of pension is to be reimbursed by the last employing authority) after “64B” there shall be inserted the words “and 64C”.
- (5) The London Residuary Body shall pay—
  - (a) any increase which by virtue of regulations under section 5(2) of that Act would have been payable on or after the abolition date by ILEA; and
  - (b) any payment which is analogous to a pensions increase and would have been payable on or after that date by ILEA by virtue of regulations under section 13(3) of that Act.

### Modifications etc. (not altering text)

**C1** S. 179: functions, rights and liabilities of the London Residuary Body transferred to the London Pension Fund Authority (1. 4. 1992) by [S.I. 1992/331](#), [arts. 1\(1\), 2\(1\)\(e\)\(4\), 3, 7](#)

### Marginal Citations

**M1** 1971 c. 56.

## 180 Custody of residuary property, etc.

- (1) On the abolition date all residuary property, rights and liabilities of ILEA shall vest in the London Residuary Body.
- (2) In subsection (1) above “residuary property, rights and liabilities” means—
  - (a) any property for the vesting of which provision is not otherwise made by or under this Part; and
  - (b) subject to subsection (3) below, any rights and liabilities which are not transferred, extinguished or otherwise dealt with by any provision so made.
- (3) This section shall not be construed—
  - (a) as continuing in force any contract of employment made by ILEA; or
  - (b) as imposing any liability on the London Residuary Body in respect of the termination of any such contract by the abolition of ILEA;

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but the rights and liabilities to which this section applies shall include any rights and liabilities attributable to anything done or omitted under or in respect of such a contract before the abolition date except any liability to make a payment prohibited by section 173(3) of this Act.

- (4) The Secretary of State may by order confer on the London Residuary Body any statutory functions which before the abolition date were exercisable by ILEA in relation to any property, rights or liabilities which are vested in that body by this section.
- (5) Without prejudice to section 232(5) of this Act, the provision that may be made by an order under subsection (4) above includes provision amending any enactment or any instrument made under any enactment.

## **181 Power of London Residuary Body to pay compensation.**

- (1) The London Residuary Body may pay compensation—
  - (a) to any former officer of ILEA who sustained an injury in the course of his employment with ILEA; or
  - (b) to the widow or widower or child of any former officer of ILEA who, in the course of his employment with ILEA, died or sustained an injury resulting in death.
- (2) Subsection (1) above applies irrespective of whether the employment with ILEA of the officer in question came to an end on or before the abolition date.
- (3) The London Residuary Body may pay compensation to any person in respect of loss suffered by him in consequence of any damage to property in respect of which it appears to them that a claim might have been brought against ILEA had ILEA not been abolished.
- (4) Any compensation payable under this section may be paid either—
  - (a) by way of a lump sum; or
  - (b) by way of periodical payments of such amounts and payable at such times and for such periods as the London Residuary Body may from time to time determine having regard to all the circumstances of the case.
- (5) The payment of compensation under this section shall not affect any right or claim to damages or compensation which—
  - (a) any such officer as is mentioned in subsection (1)(a) or (b) above or his widow or widower or child; or
  - (b) any such person as is mentioned in subsection (3) above;may have against any person other than the London Residuary Body or, except so far as may be agreed when the compensation is granted, against the London Residuary Body by virtue of section 180 of this Act.

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

- C2** S. 181: functions, rights and liabilities of the London Residuary Body transferred to the London Pensions Fund Authority (1. 4. 1992) by [S.I. 1992/331](#), [arts. 1\(1\), 2\(1\)\(f\)\(4\), 3, 7](#)

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**F<sup>2</sup>182 Preparation of ILEA’s final accounts.**

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**Textual Amendments**

**F2** Ss. 182-184 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 5** Group 4

**F<sup>2</sup>183 Directions of Secretary of State.**

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**Textual Amendments**

**F2** Ss. 182-184 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 5** Group 4

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