



Childcare Act 2006

2006 CHAPTER 21

PART 2

GENERAL FUNCTIONS OF LOCAL AUTHORITY: WALES

Miscellaneous

28 Inspection

For the purposes of section 38 of the Education Act 1997 (c. 44) (inspection of local education authorities), the functions conferred on a Welsh local authority by or under this Part are to be regarded as functions conferred on a local education authority in their capacity as such.

29 Powers of Assembly to secure proper performance etc.

- (1) Section 496 of the 1996 Act (power to prevent unreasonable exercise of functions) applies in relation to a Welsh local authority and the powers conferred or duties imposed on them by or under this Part as it applies in relation to a local education authority in Wales and the powers conferred or duties imposed on them by or under the 1996 Act.
- (2) Section 497 of the 1996 Act (general default powers) applies in relation to the duties imposed on a Welsh local authority by or for the purposes of this Part as it applies in relation to the duties imposed on a local education authority in Wales by or for the purposes of the 1996 Act.
- (3) Section 497A of the 1996 Act (power to secure proper performance of LEA's functions) applies in relation to a Welsh local authority's functions under this Part as it applies in relation to the functions of a local education authority in Wales mentioned in subsection (1) of that section.

Status: This is the original version (as it was originally enacted).

- (4) Sections 497AA and 497B of the 1996 Act apply accordingly where powers under section 497A of that Act are exercised in relation to any of the functions of a Welsh local authority under this Part.
- (5) In the application of sections 497A(2) to (7), 497AA and 497B of the 1996 Act in relation to a Welsh local authority's functions under this Part, references to the local education authority are to be read as references to the local authority.
- (6) In subsection (5) of section 497A of the 1996 Act, the reference to functions to which that section applies includes (for all purposes) functions of a Welsh local authority under this Part.
- (7) In this section, "the 1996 Act" means the Education Act [1996 \(c. 56\)](#).