

SCHEDULE 3

Article 4

Amendment of non-education subordinate legislation

Radioactive Substances (Schools etc.) Exemption Order 1963 (S.I. 1963/1832)

1. In article 4(a) of the Radioactive Substances (Schools etc.) Exemption Order 1963 for “local education authority” substitute “local authority”.

Children (Performances) Regulations 1968 (S.I. 1968/1728)

2. In regulation 42(1) of the Children (Performances) Regulations 1968 in the definitions of “licensing authority” and “local authority” for “local education authority” substitute “local authority”.

Local Authorities (Goods and Services) (Public Bodies) Order 1975 (S.I. 1975/193)

3. In the Schedule to the Local Authorities (Goods and Services) (Public Bodies) Order 1975 (in the part headed “EDUCATIONAL BODIES”) for “Local Education Authority” substitute “local authority”.

Secure Tenancies (Designated Courses) Regulations 1980 (S.I. 1980/1407)

4. In regulation 2(c) of the Secure Tenancies (Designated Courses) Regulations 1980 for “local education authority” substitute “local authority (within the meaning of the Education Act 1996)”.

Public Service Vehicles (Conditions of Fitness, Equipment, Use and Certification) Regulations 1981 (S.I.1981/257)

5. In regulation 4(2), (3) and (4)(c)(1) of the Public Service Vehicles (Conditions of Fitness, Equipment, Use and Certification) Regulations 1981 for “local education authority” substitute “local authority”.

Motor Vehicles (Tests) Regulations 1981 (S.I. 1981/1694)

6. In regulation 5(3)(b) of the Motor Vehicles (Tests) Regulations 1981(2) for “local education authority” substitute “local authority”.

Crown Court Rules 1982 (S.I.1982/1109)

7. In rule 10B(1) of the Crown Court Rules 1982(3) omit “local education authority”.

Personal Injuries (Civilians) Scheme 1983 (S.I.1983/686)

8. In paragraphs 18(3) and 19(h) of Schedule 1 to the Personal Injuries (Civilians) Scheme 1983 for “local education authority” substitute “local authority”.

(1) Regulation 4 was substituted by S.I. 1982/20.

(2) Paragraph (3) was amended by S.I. 1984/1126, S.I. 1988/1894 and S.I. 1998/1672.

(3) Rule 10B was inserted by S.I.1988/952.

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Local Authorities (Expenditure Powers) Order 1984 (S.I. 1984/197)

9. In article 1(2) of the Local Authorities (Expenditure Powers) Order 1984 for “local authorities which are not local education authorities” substitute “local authorities which are non-metropolitan district councils for areas for which there is a county council, and parish councils”.

Public Service Vehicles (Registration of Local Services) Regulations 1986 (S.I. 1986/1671)

10. In regulation 9(2)(f) of the Public Service Vehicles (Registration of Local Services) Regulations 1986 for “local education authority” substitute “local authority (within the meaning of the Education Act 1996) in connection with the exercise of its functions relating to education”.

Statutory Maternity Pay (General) Regulations 1986 (S.I. 1986/1960)

11. In regulation 14(f) of the Statutory Maternity Pay (General) Regulations 1986(4) for “local education authority” substitute “local authority (within the meaning of the Education Act 1996)”.

Parish and Community Meetings (Polls) Rules 1987 (S.I. 1987/1)

12. In rule 7(1)(a) of the Poll Rules in the Schedule to the Parish and Community Meetings (Polls) Rules 1987 for “local education authority” substitute “local authority (within the meaning of the Education Act 1996)”.

Income Support (General) Regulations 1987 (S.I. 1987/1967)

13. In regulation 61(1) of the Income Support (General) Regulations 1987(5), in the definition of “education authority” for “a local education authority as defined in section 114(1) of the Education Act 1944 (interpretation)” substitute “a local authority as defined in section 579 of the Education Act 1996 (interpretation)”.

Family Credit (General) Regulations 1987 (S.I. 1987/1973)

14. In regulation 37 of the Family Credit (General) Regulations 1987, in the definition of “education authority” for “a local education authority as defined in section 114(1) of the Education Act 1944 (interpretation)” substitute “a local authority as defined in section 579 of the Education Act 1996 (interpretation)”.

Copyright (Application of Provisions relating to Educational Establishments to Teachers) (No2) Order 1989 (S.I. 1989/1067)

15. In article 2(6) of the Copyright (Application of Provisions relating to Educational Establishments to Teachers) (No 2) Order 1989 for “local education authority” substitute “local authority (within the meaning of the Education Act 1996) or, in Northern Ireland, a local education authority”.

Road Vehicles Lighting Regulations 1989 (S.I. 1989/1796)

16.—(1) Regulation 11 of the Road Vehicles Lighting Regulations 1989 is amended as follows.

(4) Regulation 14(f) was amended by [S.I. 1990/622](#).

(5) The definition of “education authority” was amended by [S.I. 1996/1944](#).

(6) Article 2 was amended by [S.I. 2003/2498](#).

(2) In paragraph (4)(c)(i)(7) for “local education authority” substitute “local authority (within the meaning of the Education Act 1996) in connection with the exercise of its functions relating to education”.

(3) In paragraph (5) for “local education authority” substitute “local authority”.

Non-Domestic Rating (Miscellaneous Provisions) (No. 2) Regulations 1989 (S.I. 1989/2303)

17. In regulation 2(3) of the Non-Domestic Rating (Miscellaneous Provisions) (No.2) Regulations 1989(8) in paragraph (b)(i) of the definition of “educational hereditament” for “local education authority” substitute “local authority (within the meaning of the Education Act 1996)”.

Arrangements for Placement of Children (General) Regulations 1991 (S.I. 1991/890)

18.—(1) Regulation 5 of the Arrangements for Placement of Children (General) Regulations 1991 is amended as follows.

(2) For paragraph (1)(c)(9) substitute—

“(c) the local authority, if it is different from the area authority, specified in paragraph (1A);”.

(3) After paragraph (1) insert—

“(1A) The local authority referred to in paragraph (1)(c) is—

(a) the local authority which —

(i) maintains any school at which the child is, or is proposed to be, a pupil , or

(ii) makes 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 for the area of which the school is situated.”.

Placement of Children with Parents etc. Regulations 1991 (S.I. 1991/893)

19.—(1) Regulation 8 of the Placement of Children with Parents etc. Regulations 1991 is amended as follows.

(2) For paragraph (4)(b)(10) substitute—

“(b) the local authority, if it is different from the area authority, specified in paragraph (4A);”.

(3) After paragraph (4) insert—

“(4A) The local authority referred to in paragraph (1)(c) is—

(a) the local authority which —

(i) maintains any school at which the child is, or is proposed to be, a pupil , or

(ii) makes 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 for the area of which the school is situated.”.

(7) Paragraphs (3) to (6) of regulation 11 were inserted by S.I. 1994/2280.

(8) Relevant amending instruments are S.I. 1993/544, 2000/532 and 2000/908.

(9) Regulation 5(1)(c) was amended by S.I. 2002/546.

(10) Regulation 8(4)(b) was amended by S.I. 2002/546.

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Family Proceedings Rules 1991 (S.I. 1991/1247)

- 20.**—(1) The Family Proceedings Rules 1991 are amended as follows.
- (2) For the heading to rule 4.27 substitute—
“Direction to local authority to apply for education supervision order”
- (3) In rule 4.27 for “local education authority” in both places where the words occur substitute “local authority”.
- (4) In paragraph 1 of Form C 17 in Appendix 1(**11**)—
- (a) after “Prior consultation” insert “(where applicable)”,
- (b) for “State the name of the local authority whose Social Services Committee has been consulted” substitute “State the name of any other local authority which has been consulted”, and
- (c) before “local authority” (in the second and third places where those words occur) insert “other”.
- (5) In each of forms C 37 and C 38 in Appendix 1 for “local education authority” substitute “local authority”.
- (6) In column (iii) (respondents) of Appendix 3(**12**) (in the entry relating to section 36(1) etc.) for “local education authority concerned” substitute “local authority designated in the order”.

Family Proceedings Courts (Children Act 1989) Rules 1991 (S.I. 1991/1395)

- 21.**—(1) The Family Proceedings Courts (Children Act 1989) Rules 1991 are amended as follows.
- (2) For the heading to rule 31 substitute—
“Direction to local authority to apply for education supervision order”
- (3) In rule 31 for “local education authority” in both places where the words occur substitute “local authority”.
- (4) In paragraph 1 of Form C 17 in Schedule 1(**13**)—
- (a) after “Prior consultation” insert “(where applicable)”,
- (b) for “State the name of the local authority whose Social Services Committee has been consulted” substitute “State the name of any other local authority which has been consulted”, and
- (c) before “local authority” (in the second and third places where those words occur) insert “other”.
- (5) In each of forms C 37 and C 38 in Schedule 1 for “local education authority” substitute “local authority”.
- (6) In column (iii) (respondents) of Schedule 2, (in the entry relating to section 36(1) etc.) for “local education authority” substitute “local authority”.

Children (Secure Accommodation) Regulations 1991 (S.I. 1991/1505)

- 22.**—(1) Regulation 7 of the Children (Secure Accommodation) Regulations 1991 is amended as follows.

(11) Appendix 1 was substituted by S.I. 1994/3155.

(12) Appendix 3 was substituted by S.I. 1992/2067.

(13) Appendix 1 was substituted by S.I. 1994/3155.

(2) In paragraph (1)(a) for “local education authorities” substitute “local authorities in the exercise of education functions”.

(3) In paragraph (2)(a) for “local education authority” substitute “local authority in the exercise of education functions”.

(4) in paragraph (2)(b) for “local education authorities” substitute “local authorities”.

Children (Secure Accommodation) (No.2) Regulations 1991 (S.I. 1991/2034)

23. In regulation 2(1) of the Children (Secure Accommodation) (No.2) Regulations 1991—

(a) for “local education authority” in the first place where those words occur substitute “local authority in the exercise of education functions”, and

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

Disability Working Allowance (General) Regulations 1991 (S.I. 1991/2887)

24. In regulation 41 of the Disability Working Allowance (General) Regulations 1991, in the definition of “education authority” for “local education authority as defined in section 114(1) of the Education Act 1944 (interpretation)” substitute “local authority as defined in section 579 of the Education Act 1996 (interpretation)”.

Social Security (Disability Living Allowance) Regulations 1991 (S.I. 1991/2890)

25. In regulation 9(3)(b) of the Social Security (Disability Living Allowance) Regulations 1991(14) for “local education authorities” substitute “local authorities”.

Taxes (Relief for Gifts) (Designated Educational Establishments) Regulations 1992 (S.I. 1992/42)

26.—(1) The Taxes (Relief for Gifts) (Designated Educational Establishments) Regulations 1992 are amended as follows.

(2) In paragraphs 1 and 3 of Part I of the Schedule for “local education authority” substitute “local authority”.

(3) In paragraph 4 of Part III of the Schedule(15) for “local education authority” substitute “local authority”.

Jobseeker’s Allowance Regulations 1996 (S.I. 1996/207)

27.—(1) The Jobseeker’s Allowance Regulations 1996 are amended as follows.

(2) In regulation 14(1)(u)(ii)(16) for “a local education authority” substitute “a local authority (as defined in section 579 of the Education Act 1996)”.

(3) In regulation 130, in the definition of “education authority” for “a local education authority as defined in section 114(1) of the Education Act 1944” substitute “a local authority as defined in section 579 of the Education Act 1996”.

(14) Regulation 9 was substituted by S.I. 2007/2875.

(15) Paragraph 4 of the Schedule was substituted by SI 1993/561.

(16) Regulation 14(1)(u) was inserted by S.I. 2008/3051.

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Housing Renewal Grants Regulations 1996 (S.I 1996/2890)

28. In regulation 41 of the Housing Renewal Grants Regulations of 1996 in the definition of “education authority” for “a local education authority as defined in section 114(1) of the Education Act 1944 (interpretation)” substitute “a local authority as defined in section 579 of the Education Act 1996 (interpretation)”.

Teachers (Compensation for Redundancy and Premature Retirement) Regulations 1997 (SI 1997/311)

29.—(1) The Teachers (Compensation for Redundancy and Premature Retirement) Regulations 1997 are amended as follows.

(2) In regulation 2(2)—

(a) insert the following definition at the appropriate place in alphabetical order—

““local authority” has the same meaning as in the Education Act 1996;”, and

(b) in the definition of “appropriate person” for “local education authority” (in both places where those words occur) substitute “local authority”.

(3) In regulation 2(4) for “local education authority” substitute “local authority”.

(4) In regulations 3(4), (5)(a) and (7)(a), (b) and (c), 4(8)(b), 5 and 6(17) in each place where those words occur for “local education authority” substitute “local authority”.

(5) In Schedule 1 for “local education authority” in each place where those words occur substitute “local authority”.

Teachers’ Pensions Regulations 1997 (SI 1997/3001)

30.—(1) The Teachers’ Pensions Regulations 1997 are amended as follows.

(2) In regulations A3, B1(1) and B3A(8)(18) for “local education authority” in each place where those words occur substitute “local authority”.

(3) In regulation B1A(19)—

(a) in paragraph (1)(a) for “a local education authority or an accepted function provider” substitute “a local authority in connection with the exercise of education functions or by an accepted function provider”,

(b) in paragraph (3)(a) for “a local education authority or an accepted function provider” substitute “a local authority in connection with the exercise of education functions or by an accepted function provider”, and

(c) in paragraph (4)(b) for “a local education authority or an accepted function provider” substitute “a local authority in connection with the exercise of education functions or by an accepted function provider”.

(4) in paragraphs (6)(b) and (7)(b) for “local education authority” substitute “local authority”.

(5) In regulation G5(7(20) for “local education authorities” substitute “local authorities”.

(6) In Schedule 1—

(a) after the definition of “Education Action Forum”(21) insert the following definition—

(17) In regulation 3 paragraph (4) was inserted by S.I. 2000/644 and paragraph (7) amended by S.I. 1999/608; regulation 6 was substituted by S.I. 2006/2216.

(18) Regulation A3 was inserted by S.I. 1998/2255 relevant amendments were made by S.I.2000/665, 2002/2431 and 2004/587; regulation B3A was inserted by S.I. 2000/665.

(19) Regulation B1A was inserted by S.I.2004/587

(20) Regulation G5 was substituted by S.I. 2006/3122.

(21) The definition of “Education Action Forum” was inserted by S.I. 1998/2255.

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- “Education functions Construe in accordance with section 579 of the Education Act 1996”,
- (b) in the definition of “Employer”(22) for “local education authority” substitute “local authority”,
 - (c) in the definition of “function provider”(23)—
 - (i) for “local education authority” in the first two places where those words occur substitute “local authority”, and
 - (ii) for “a function of that local education authority” substitute “an education function of that local authority”, and
 - (d) after the definition of “independent school” insert the following definition—

“Local authority Construe in accordance with section 579 of the Education Act 1996”.
- (7) In Schedule 2—
- (a) in paragraphs 1 and 2(24) for “local education authority” substitute “local authority”,
 - (b) in paragraph 6 for “local education authority” substitute “local authority in connection with the exercise of its education functions”,
 - (c) in paragraph 15 for “local education authority” substitute “local authority”,
 - (d) in paragraph 19 for “local education authority” substitute “local authority in connection with the exercise of its education functions”,
 - (e) in paragraph 20(d) for “local education authority” substitute “local authority”,
 - (f) in paragraph 20(d)(i) for “local education authority” substitute “local authority in connection with the exercise of its education functions”,
 - (g) in paragraph 23 for “local education authority” substitute “local authority”, and
 - (h) in paragraph 26(25) for “local education authority” substitute “local authority in connection with the exercise of its education functions”.

Assured and Protected Tenancies (Lettings to Students) Regulations 1998 (S.I. 1998/1967)

31.—(1) The Assured and Protected Tenancies (Lettings to Students) Regulations 1998 are amended as follows.

- (2) In regulation 2—
 - (a) after the definition of “higher education” insert—

““local authority” has the same meaning as in section 579 of the Education Act 1996;”, and
 - (b) in paragraph (a) of the definition of “publicly funded” for “local education authority” substitute “local authority”.
- (3) In regulation 4(b) for “local education authority” substitute “local authority”.

(22) The definition of “employer” was inserted by S.I. 1998/2255.

(23) The definition of “Function Provider” was inserted by S.I. 2000/655 and substituted by S.I. 2000/2431.

(24) Paragraph 2 was amended by S.I. 1999/607 and S.I. 2004/587.

(25) Paragraph 26 was substituted by S.I. 2004/587.

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Right to Time Off for Study or Training (Scotland) Regulations 1999 (S.I. 1999/1058)

32. In the Schedule to the Right to Time Off for Study or Training (Scotland) Regulations 1999 (in the section headed “E Entry Level Qualification Awarding Bodies(26)”) for “Birmingham Local Education Authority” substitute “Birmingham City Council”.

Redundancy Payments (Continuity of Employment in Local Government, etc.) (Modification) Order 1999 (S.I. 1999/2277)

33.—(1) The Redundancy Payments (Continuity of Employment in Local Government, etc.) (Modification) Order 1999 is amended as follows.

(2) In paragraph 1 of Section 3 of Schedule 1 for “local education authorities” substitute “local authorities (within the meaning of the Education Act)”.

(3) For paragraph 20 of Section 4 of Part II of Schedule 2(27) substitute—

“**20.** A person who during the period of employment performed an education function of a local authority pursuant to a direction given by the Secretary of State under section 497A(4) of the Education Act, and in this paragraph “education function” and “local authority” have the same meanings as in the Education Act.”.

Data Protection (Subject Access Modification) (Social Work) Order 2000 (S.I. 2000/415)

34. In paragraph 1(f) of the Schedule to the Data Protection (Subject Access Modification) (Social Work) Order 2000 for “local education authority” substitute “local authority”.

NHS and Local Authorities Partnership Arrangements Regulations 2000 (S.I. 2000/617)

35.—(1) Regulation 6 of the NHS and Local Authorities Partnership Arrangements 2000 is amended as follows.

(2) For paragraph (b) substitute—

“(b) the functions under sections 7 or 8 of the Disabled Persons (Services, Consultation and Representation) Act 1986;”.

(3) In paragraph (d) for “local education authorities” substitute “local authorities”.

Parent Governor Representatives (England) Regulations 2001 (S.I. 2001/478)

36.—(1) The Parent Governor Representatives (England) Regulations 2001 are amended as follows.

(2) In regulation 2(1)—

(a) in the definition of “education overview and scrutiny committee” for “local education authority” substitute “local authority”, and

(b) in the definition of “relevant committee” for “functions which are conferred on the local education authority or authorities in their capacity as a local education authority or authorities” substitute “education functions of the local authority or authorities”.

(3) In regulation 2(2)—

(a) insert the following entries in the table at the appropriate place—

““education functions” Schedule 36A to the Education Act 1996

“local authority” section 579 of the Education Act 1996”, and

(26) The relevant provision in this section of the Schedule was inserted by S.I. 2001/211.

(27) Paragraph 26 was substituted by S.I. 2001/866.

- (b) in the last entry in the first column of the table for “local education authority” substitute “local authority”.
- (4) In regulations 3 to 9 for “local education authority” in each place where those words occur substitute “local authority”.
- (5) In regulation 11—
 - (a) for paragraph (1) substitute—

“(1) This regulation applies in a case where the local authority is the Council of the Isles of Scilly or the Common Council of the City of London.”,
 - (b) in paragraph (3), in sub-paragraphs (c)(ii) and (d)(ii) for “local education authority” substitute “local authority”.
- (6) In regulation 12(3) for “local education authority” substitute “local authority”.

Right to Time Off for Study or Training Regulations 2001 (S.I. 2001/2801)

37. In the Schedule to the Right to Time Off for Study or Training Regulations 2001 (in the section headed “C Entry Level Qualification Awarding Bodies”) for “Birmingham Local Education Authority” substitute “Birmingham City Council”.

Children (Leaving Care) (England) Regulations 2001 (S.I. 2001/2874)

38. In regulation 7(5)(d) of the Children (Leaving Care) (England) Regulations 2001 for “the local education authority for the area in which he lives” substitute “the local authority (if different) for the area in which the child lives if that authority has exercised any education functions in relation to him”.

Local Authorities (Goods and Services) (Public Bodies) (England) (No.4) Order 2001 (SI 2001/3347)

39. In article 4(b) of the Local Authorities (Goods and Services) (Public Bodies) (England) (No.4) Order 2001 for “local education authority” substitute “local authority”.

Race Relations Act 1976 (Statutory Duties) Order 2001 (S.I. 2001/3458)

- 40.—(1) The Race Relations Act 1976 (Statutory Duties) Order 2001 is amended as follows.
- (2) In article 4(3)(b) for “Local Education Authorities” substitute “local authorities”.
 - (3) At the end of article 4(6) insert “and references to “local authorities” are references to local authorities within the meaning of the Education Act 1996”.
 - (4) In Schedule 2—
 - (a) in Part I for “Local Education Authority” substitute “local authority within the meaning of the Education Act 1996”,
 - (b) in Part III for “A Local Education Authority” substitute “A local authority within the meaning of the Education Act 1996”.

Children’s Homes Regulations 2001 (S.I. 2001/3967)

41. In regulation 2(1) of the Children’s Homes Regulations 2001, in paragraph (b) of the definition of “placing authority” for sub-paragraph (ii) substitute—

- “(ii) if he is accommodated in a qualifying school under arrangements made by a local authority (whether in the exercise of education functions within the meaning of the Education Act 1996 or otherwise), that local authority,”.

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Contracting Out (Local Education Authority Functions) (England) Order 2002 (S.I. 2002/928)

42.—(1) The Contracting Out (Local Education Authority Functions) (England) Order 2002 is amended as follows.

(2) In the title of the Regulations for “Local Education Authority Functions” substitute “Local Authority Education Functions”.

(3) In article 1(1) for “Local Education Authority Functions” substitute “Local Authority Education Functions”.

(4) Article 2 is renumbered article 2(1) and after article 2(1) (as so renumbered) insert—
“(2) In this Order “local authority” has the same meaning as in the Education Act 1996.”.

(5) In article 3 for “local education authority” in both places where those words occur substitute “local authority”.

(6) In Schedule 1—

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

(b) in paragraph (c) for “LEA” substitute “local authority”.

(7) In Schedule 2—

(a) for “local education authority” and “local education authorities” in each place where those words occur substitute “local authority” and “local authorities” respectively, and

(b) Omit paragraph (bba)(28).

(8) In Schedule 3—

(a) for “local education authority” and “local education authorities” in each place where those words occur substitute “local authority” and “local authorities” respectively, and

(b) for “LEA” in each place where it occurs substitute “local authority”.

Bus Service Operators Grant (England) Regulations 2002 (S.I. 2002/1015)

43. In regulation 3(1)(a)(i) of the Bus Operators Grant (England) Regulations 2002 for “local education authority” substitute “local authority”.

Travel Concessions (Eligible Services) Order 2002 (S.I. 2002/1016)

44. In article 3(1)(a)(i) of the Travel Concessions (Eligible Services) Order 2002 for “local education authority” substitute “local authority”.

Social Security (Jobcentre Plus Interviews) Regulations 2002 (S.I. 2002/1703)

45. In regulation 2(1) of the Social Security (Jobcentre Plus Interviews) Regulations 2002, in paragraph (a) of the definition of “the Careers Service” for “local education authority” substitute “local authority”.

Child Tax Credit Regulations 2002 (S.I. 2002/2007)

46. In regulation 2(1) of the Child Tax Credit Regulations 2002, in paragraph (a) of the definition of “the Careers Service” for “local education authority” substitute “local authority”.

(28) Paragraph (bba) of Schedule 2 was inserted by S.I. 2003/2704.

Statutory Paternity Pay and Statutory Adoption Pay (General) Regulations 2002 (S.I. 2002/2822)

47. In regulation 36(f) of the Statutory Paternity Pay and Statutory Adoption Pay (General) Regulations 2002 for “local education authority” substitute “local authority”.

Crime and Disorder Strategies (Prescribed Descriptions) (England) Order 2004 (S.I. 2004/118)

48. In article 2(2)(c) of the Crime and Disorder Strategies (Prescribed Descriptions) Order 2004 for “local education authority” substitute “local authority”.

Magistrates’ Courts (Parenting Orders) Rules 2004 (S.I. 2004/247)

49.—(1) The Magistrates’ Courts (Parenting Orders) Rules 2004(29) are amended as follows.

(2) In Schedule 1 for “Local Education Authority” in each place where those words occur substitute “Local Authority”.

(3) In Schedule 2 for “Local Education Authority” substitute “Local Authority”.

European Parliamentary Elections Regulations 2004 (SI 2004/293)

50.—(1) The European Parliamentary Elections Regulations 2004 are amended as follows.

(2) In Schedule 1(30), in paragraph 26(2)(a) for “local education authority” substitute “local authority (as defined in the Education Act 1996)”.

(3) In Schedule 8—

(a) in paragraph 1 for “local education authority” substitute “local authority (within the meaning of the Education Act 1996)”,

(b) in paragraph 4 for “local education authority” substitute “local authority (within the meaning of the Education Act 1996)”, and

(c) in paragraph 5(a) for “local education authority” substitute “local authority (within the meaning of the Education Act 1996)”.

Regional Assembly and Local Government Referendums Order 2004 (S.I. 2004/1962)

51. In rule 20(1)(a) of the Regional Assembly and Local Government Referendum Rules contained in Schedule 1 to the Regional Assembly and Local Government Referendums Order 2004 for “local education authority” substitute “local authority (within the meaning of the Education Act 1996)”.

Adoption Agencies Regulations 2005 (S.I. 2005/389)

52.—(1) Regulation 35(6) of the Adoption Agencies Regulations 2005 is amended as follows.

(2) Insert “and” at the end of sub-paragraph (a).

(3) At the end of sub-paragraph (b) for “; and” substitute “and, where the child is of compulsory school age, include in the notification to the local authority information about the child’s educational history and whether the child has been or is likely to be assessed for special educational needs under the Education Act 1996”.

(4) Omit sub-paragraph (c).

(29) Schedules 1 and 2 were amended by S.I. 2007/2222.

(30) Schedule 1 was substituted by S.I. 2009/186.

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Adoptions with a Foreign Element Regulations 2005 (S.I. 2005/392)

- 53.**—(1) The Adoptions with a Foreign Element Regulations 2005 are amended as follows.
- (2) Omit regulation 5(1)(d).
 - (3) In regulation 22—
 - (a) insert “and” at the end of sub-paragraph (a),
 - (b) at the end of paragraph (b) for “; and” substitute “and, where the child is of compulsory school age, include in the notification to the local authority information about the child’s educational history and whether the child has been or is likely to be assessed for special educational needs under the Education Act 1996”, and
 - (c) omit paragraph (c).

Local Government (Best Value) Performance Indicators and Performance Standards (England) Order 2005 (S.I. 2005/598)

54. In Schedule 2 to the Local Government (Best Value) Performance Indicators and Performance Standards (England) Order 2005, in indicator 2, for “the local education authority” substitute “the authority”.

Adoption Support Services Regulations 2005 (S.I. 2005/691)

- 55.**—(1) The Adoption Support Services Regulations 2005 are amended as follows.
- (2) In regulation 2 omit the definition of “local education authority”.
 - (3) In regulation 5(1) omit sub-paragraph (d).
 - (4) In regulation 14(4)—
 - (a) for “a local education authority” (in the first place where those words occur) substitute “another local authority”, and
 - (b) for “local education authority” (in the second place where those words occur) substitute “local authority”.
 - (5) In regulation 16(3)—
 - (a) for “a local education authority” (in the first place where those words occur) substitute “another local authority”, and
 - (b) for “local education authority” (in the second place where those words occur) substitute “local authority”.

Special Guardianship Regulations 2005 (S.I. 2005/1109)

- 56.**—(1) The Special Guardianship Regulations 2005 are amended as follows.
- (2) In regulation 4(1) omit sub-paragraph (e).
 - (3) In regulation 12(3)—
 - (a) for “local education authority” (in the first place where those words occur substitute “another local authority”, and
 - (b) for “local education authority” (in the second place where those words occur) substitute “local authority”.
 - (4) In regulation 14(3)—
 - (a) for “a local education authority” (in the first place where those words occur) substitute “another local authority”, and

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

Children Act 2004 (Children’s Services) Regulations 2005 (S.I. 2005/1972)

57. In regulation 2(1) of the Children Act 2004 (Children’s Services) Regulations 2005—

- (a) for sub-paragraph (w) substitute—

“(w) in pursuance of an education function (as defined in the Education Act 1996) conferred on or exercisable by a local authority other than a function specified in or under section 18(3) of the 2004 Act (director of children’s services);”.

- (b) for sub-paragraph (x) substitute—

“(x) in pursuance of any other function conferred on a local authority under the 2004 Act, other than a function conferred under sections 10, or 12 to 19 of that Act;”.

Children Act 2004 (Joint Area Reviews) Regulations 2005 (SI 2005/1973)

58.—(1) The Children Act 2004 (Joint Area Reviews) Regulations 2005 are amended as follows.

(2) In regulations 3(3)(a) and (4) and 4(1) for “children’s services authority” substitute “local authority”

(3) In the Schedule—

- (a) in paragraph 1 omit the definition of “local education authority”, and

- (b) in paragraph 8(2) for “children’s services authority” substitute “local authority”.

Income Tax (Construction Industry Scheme) Regulations 2005 (S.I. 2005/2045)

59. For regulation 21 of the Income Tax (Construction Industry Scheme) Regulations 2005 substitute—

“Payment as agent of local authority

21. A payment under a construction contract is not a contract payment if the payment is made by the governing body or head teacher of a maintained school as the agent of a local authority under section 49(5)(b) of the School Standards and Framework Act 1998 (delegated budget).”.

Children and Young People’s Plan (England) Regulations 2005 (S.I. 2005/2149)

60.—(1) The Children and Young People’s Plan (England) Regulations 2005 are amended as follows.

(2) In regulation 2, in the definition of “authority” for “children’s services authority” substitute “local authority”.

(3) In regulation 9(31) for “children’s services authority” in each place where those words occur substitute “local authority”.

(31) Regulation 9 was amended by [S.I. 2007/57](#).

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

Disability Discrimination (Public Authorities) (Statutory Duties) Regulations 2005 (S.I. 2005/2966)

61.—(1) The Disability Discrimination (Public Authorities) (Statutory Duties) Regulations 2005 are amended as follows.

(2) In the definition of “school” in regulation 1(2) for “local education authority” substitute “local authority (within the meaning of the Education Act 1996)”.

(3) In Parts II and IV of Schedule 1 for “local education authority” substitute “local authority (within the meaning of the Education Act 1996)”.

Local Safeguarding Children Boards Regulations 2006 (S.I. 2006/90)

62.—(1) The Local Safeguarding Children Boards Regulations 2006 are amended as follows.

(2) In regulation 2(1) for “children’s services authority” substitute “local authority”.

(3) In regulation 2(2)—

(a) in sub-paragraph (a) for “children’s services authority” substitute “local authority”, and

(b) in sub-paragraph (b) for “children’s services authorities” substitute “local authorities”.

(4) In regulation 3A(32) omit “in their capacity as a local education authority”.

(5) In regulation 5(1)(a)(vi) for “children’s services authorities” substitute “local authorities”.

Functions of Primary Care Trusts (Dental Public Health) (England) Regulations 2006 (S.I. 2006/185)

63. In regulation 2(2)(b) of the Functions of Primary Care Trusts (Dental Public Health) (England) Regulations 2006 for “local education authorities” substitute “local authorities”.

Housing Benefit Regulations 2006 (S.I. 2006/213)

64. In regulation 53(1) of the Housing Benefit Regulations 2006 in the definition of “education authority” for “a local education authority specified in section 12 of the Education Act 1996 (local education authorities and their areas)” substitute “a local authority as defined in section 579 of the Education Act 1996 (interpretation)”.

Council Tax Benefit Regulations 2006 (S.I. 2006/215)

65. In regulation 43(1) of the Council Tax Benefit Regulations 2006, in the definition of “education authority” for “a local education authority as defined in section 12 of the Education Act 1996 (interpretation)” substitute “a local authority as defined in section 579 of the Education Act 1996 (interpretation)”.

Child Benefit (General) Regulations 2006 (S.I. 2006/223)

66. In regulation 1(3) of the Child Benefit (General) Regulations 2006, in the definition of “the Careers Service” for “local education authority” substitute “local authority”.

(32) Regulation 3A was inserted by S.I. 2010/622.

Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006 (S.I. 2006/2914)

67. In regulation 2(1)(33) of the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006, in paragraph (c) of the definition of “employing authority” for “local education authority” substitute “local authority”.

Sex Discrimination Act 1975 (Public Authorities) (Statutory Duties) Order 2006 (S.I. 2006/2930)

68.—(1) The Schedule to the Sex Discrimination Act 1975 (Public Authorities) (Statutory Duties) Order 2006 is amended as follows.

(2) In the entry relating to the governing body of an educational establishment for “local education authority” substitute “local authority (within the meaning of the Education Act 1996)”.

(3) For the entry “A local authority with respect to the pupil referral units it establishes and maintains in England by virtue of section 19 of the Education Act 1996” substitute “A local authority (within the meaning of the Education Act 1996) with respect to the pupil referral units it establishes and maintains in England by virtue of section 19 of that Act”.

(4) Omit the entry “A local education authority in England”.

Local Elections (Principal Areas) (England and Wales) Rules 2006 (S.I. 2006/3304)

69.—(1) The Local Elections (Principal Areas) (England and Wales) Rules 2006 are amended as follows.

(2) In rule 20(1)(a) in Schedule 2 for “local education authority” substitute “local authority (as defined in the Education Act 1996)”.

(3) In rule 20(1)(a) in Schedule 3 for “local education authority” substitute “local authority (as defined in the Education Act 1996)”.

Local Elections (Parishes and Communities) (England and Wales) Rules 2006 (S.I. 2006/3305)

70.—(1) The Local Elections (Parishes and Communities) (England and Wales) Rules are amended as follows.

(2) In rule 20(1)(a) in Schedule 2 for “local education authority” substitute “local authority (within the meaning of the Education Act 1996)”.

(3) In rule 20(1)(a) in Schedule 3 for “local education authority” substitute “local authority (within the meaning of the Education Act 1996)”.

Local Authorities (Mayorial Elections) (England and Wales) Regulations 2007 (S.I. 2007/1024)

71.—(1) The Local Authorities (Mayorial Elections) (England and Wales) Regulations 2007 are amended as follows.

(2) In rule 22(1)(a) of the Mayorial Elections Rules in Schedule 1 for “local education authority” substitute “local authority (as defined in the Education Act 1996)”.

(3) In rule 22 (1)(a) of the Mayorial Elections (Combination of Polls) Rules in Schedule 3 for “local education authority” substitute “local authority (as defined in the Education Act 1996)”.

(33) The definition of “employing authority” was substituted by regulation 3 of S.I. 2009/3150.

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Equality Act (Sexual Orientation) Regulations 2007 (S.I. 2007/1263)

72.—(1) The Equality Act (Sexual Orientation) Regulations 2007 are amended as follows.

(2) For the heading to regulation 7 substitute—

“Educational establishments, education functions and education authorities”

(3) In regulation 7 for paragraph (4) substitute—

“(4) It is unlawful—

- (a) for a local authority in England and Wales in exercise of education functions, or
- (b) for an education authority in Scotland in exercise of their functions

to discriminate against a person.”

(4) In regulation 20—

(a) in paragraph (2)—

- (i) for “local education authority” substitute “local authority”,
- (ii) for “by virtue of regulation 7 or 8” substitute “by virtue of regulation 7 or, in the exercise of education functions, regulation 8”,

(b) after paragraph (5) insert—

“(6) In this regulation “local authority” and “education functions” have the same meaning as in the Education Act 1996.”

(5) In Schedule 3 for “local education authority” in each place where those words occur substitute “local authority”.

Finance Act 2003, Section 66 (Prescribed Statutory Provisions) Order 2007 (S.I. 2007/1385)

73. In article 2(a)(i) of the Finance Act 2003, Section 66 (Prescribed Statutory Provisions) Order 2007 for “local education authority” substitute “local authority”.

Education (Parenting Contracts and Parenting Orders) (England) Regulations 2007 (S.I. 2007/1869)

74. In regulation 2(1) of the Education (Parenting Contracts and Parenting Orders) (England) Regulations 2007 omit the definition of “local education authority”.

Local Authorities (Conduct of Referendums) (England) Regulations 2007 (S.I. 2007/2089)

75.—(1) The Local Authorities (Conduct of Referendums) (England) Regulations 2007 are amended as follows.

(2) In rule 11(1)(a) of the Local Government Act Referendums Rules in Schedule 3 for “local education authority” substitute “local authority (as defined in the Education Act 1996)”.

(3) In rule 11(1)(a) of the Local Government Act Referendums (Combination of Polls) in Schedule 5 for “local education authority” substitute “local authority (as defined in the Education Act 1996).”

Children Act 2004 Information Database (England) Regulations 2007 (S.I. 2007/2182)

76. In regulation 2(1) of the Children Act 2004 Information Database (England) Regulations 2007 for the definition of “local authority” substitute—

““local authority” means a local authority in England;”.

Greater London Authority Elections Rules 2007 (S.I. 2007/3541)

77.—(1) The Greater London Authority Elections Rules 2007 are amended as follows.

(2) In each of the following provisions for “local education authority” substitute “local authority (as defined in the Education Act 1996)”—

- rule 21 (1)(a) of the Constituency Members Election Rules in Schedule 1,
- rule 22(1)(a) of the London Members Election Rules in Schedule 2,
- rule 21(1)(a) of the Mayorial Election Rules in Schedule 3,
- rule 21(1)(a) of the Constituency Members Election Rules in Schedule 5,
- rule 22(1)(a) of the London Members Election Rules in Schedule 6, and
- rule 21(1)(a) of the Mayorial Election Rules in Schedule 7.

Local Government Pension Scheme (Administration) Regulations 2008 (S.I. 2008/239)

78.—(1) The Local Government Pension Scheme (Administration) Regulations 2008 are amended as follows.

(2) In regulation 8 for “local education authority” in each place where those words occur substitute “local authority”.

(3) In Schedule 1—

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

““local authority”—

- (a) has the same meaning as in the Local Government Act 1972, except in the provisions specified in paragraph (b), and
- (b) in regulation 8, paragraph 4 of Part 2 of Schedule 2 and paragraph 3 of Part 1 of Schedule 4 has the same meaning as in section 579(1) of the Education Act 1996 ;”, and

(b) omit the definition of “local education authority”.

(4) In paragraph 4 of Part 2 of Schedule 2 for “local education authority” substitute “local authority”.

(5) In paragraph 3 of Part 1 of Schedule 4 for “local education authority” substitute “local authority”.

Police Authority Regulations 2008 (S.I. 2008/630)

79. In regulation 16(2)(a) of the Police Authority Regulations 2008 for “a local education authority” substitute “such a council”.

Metropolitan Police Authority Regulations 2008 (S.I. 2008/631)

80. In regulation 14(2)(a) of the Metropolitan Police Authority Regulations 2008 for “a local education authority” substitute “such a council”.

Employment and Support Allowance Regulations 2008 (S.I. 2008/794)

81. In regulation 131 of the Employment and Support Allowance Regulations 2008, in the definition of “education authority” for “a local education authority as defined in section 212 of the Education Act 2002 (interpretation)” substitute “a local authority as defined in section 579 of the Education Act 1996 (interpretation)”.

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Local Government (Structural Changes) (Transitional Arrangements) (No 2) Regulations 2008 (S.I. 2008/2867)

82.—(1) Regulation 25 of the Local Government (Structural Changes) (Transitional Arrangements) (No 2) Regulations 2008 is amended as follows.

(2) In paragraph (1)(a) for “local education authority” substitute “local authority”.

(3) In paragraph (3) for “local education authorities” substitute “local authorities”.

(4) In paragraphs (4) and (5) for “local education authority” substitute “local authority”.

National Child Measurement Programme Regulations 2008 (S.I. 2008/3080)

83. In regulation 2(1) of the National Child Measurement Programme Regulations 2008 for “local education authorities” substitute “local authorities”.

Local Government (Structural Changes) (Further Transitional and Supplementary Provision and Miscellaneous Amendments) Regulations 2009 (S.I. 2009/276)

84.—(1) Regulation 3 of the Local Government (Structural Changes) (Further Transitional and Supplementary Provision and Miscellaneous Amendments) Regulations 2009 is amended as follows.

(2) In paragraphs (1) (in both places where those words occur), (2), (3), (4) and (5) for “local education authority” substitute “local authority”.

(3) In paragraph (4) for “LEA” substitute “local authority”.

(4) After paragraph (6) insert—

“(7) In this regulation “local authority” has the same meaning as in the Education Act 1996.”