
STATUTORY INSTRUMENTS

2018 No. 1141

The Greater Manchester Combined Authority
(Adult Education Functions) Order 2018

PART 3

Amendments to Enactments

Amendment to the 2009 Act

7.—(1) Section 100 of the 2009 Act is amended as follows.

(2) After subsection (1A), insert—

“(1AA) The Secretary of State may secure the provision of financial resources under this subsection (whether or not the resources could be secured under subsection (1)) to any of the persons mentioned in subsection (1) in respect of functions under this Part that are exercisable by a combined authority by virtue of an order made under section 105A of the Local Democracy, Economic Development and Construction Act 2009.”.

(3) In subsection (3), for the opening words, substitute—

“The Secretary of State may secure the provision of financial resources under this section—”.

(4) In subsection (4), for the opening words, substitute—

“The Secretary of State may secure the provision of financial resources under this section by reference to—”.

(5) In subsection (5), in the appropriate place, insert—

““combined authority” means a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009;”.

(6) In consequence of the amendments made by paragraphs (3) and (4), paragraph 29(3) of Schedule 1 to the Technical and Further Education Act 2017⁽¹⁾ is repealed.

8.—(1) Section 122 of the 2009 Act⁽²⁾ is amended as follows.

(2) In subsection (3), after paragraph (f) insert—

“(fa) a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009;

(fb) a person providing services to a combined authority;”

(3) In subsection (5)—

(i) in paragraph (ba) omit “or”;

(1) 2017 c.19.

(2) Subsection (3) is amended by section 1(3) of the Technical and Further Education Act 2017 (c. 19) on a date to be appointed. Section 122 was amended by paragraphs 1 and 7 of Schedule 4 to the Enterprise Act 2016 (c.12); by paragraph 28 of Part 1 of Schedule 14 to the Deregulation Act 2015 (c.20); by paragraph 48 of Schedule 16 to the Education Act 2011 (c.21); and by paragraph 16 of Part 1 of Schedule 2 to the Local Education Authorities and Children’s Services Authorities (Integration of Functions) Order (S.I. 2010/1158).

(ii) in paragraph (c) after “in England,” insert “or”; and

(iii) after paragraph (c) insert—

“(d) any function of a combined authority under Part 4 that is exercisable by it by virtue of an order under section 105A of the Local Democracy, Economic Development and Construction Act 2009,”.

Amendment to the Education and Inspections Act 2006

9.—(1) Section 123(3) of the Education and Inspections Act 2006(4) is amended as follows.

(2) In subsection (1) after paragraph (e) insert—

“(ea) further education for persons aged 19 or over which is wholly or partly funded by a combined authority;”.

(3) After subsection (4) insert—

“(5) In this section “combined authority” means a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009.”.

Amendment to the Education (Fees and Awards) (England) Regulations 2007

10.—(1) The Education (Fees and Awards) (England) Regulations 2007 are amended as follows.

(2) After regulation 9 insert—

“9A. Payments by a combined authority

(1) It shall be lawful for a combined authority to adopt rules of eligibility for awards by an institution to which the combined authority makes grants, loans or other payments under section 100 of the Apprenticeships, Skills, Children and Learning Act 2009 which confine eligibility to those persons who fall within Schedule 1.

(2) It shall be lawful for an institution to which a combined authority provides financial resources to adopt rules of eligibility for awards (however described) which confine eligibility to those persons who fall within Schedule 1.

(3) In this regulation, a “combined authority” means a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009 (“the Local Democracy Act”) that exercises functions under Part 4 of the Apprenticeships, Skills, Children and Learning Act 2009 by virtue of an order under section 105A of the Local Democracy Act.”.

(3) Section 123 was amended by the paragraphs 50 and 51 of Part 2 of Schedule 14 to the Deregulation Act 2015 (c. 20); by paragraph 16 of Schedule 13 and by paragraphs 29 and 30 of Schedule 16 to the Education Act 2011 (c. 21); by paragraph 14 of Part 2 of Schedule 2 to the Local Education Authorities and Children’s Services Authorities (Integration of Functions) Order (S.I. 2010/1158); and by paragraphs 56 and 61 of Part 1 of Schedule 1 to the Apprenticeships, Skills, Children and Learning Act 2009 (Consequential Amendments) (England and Wales) Order (S.I. 2010/1080).

(4) 2006 c. 40.