
STATUTORY INSTRUMENTS

1992 No. 586

EDUCATION, ENGLAND AND WALES

The Education (London Residuary Body) (Transitional and Supplementary Provisions) Order 1992

<i>Made</i>	- - - -	<i>6th March 1992</i>
<i>Laid before Parliament</i>		<i>10th March 1992</i>
<i>Coming into force</i>	- -	<i>1st August 1992</i>

The Secretary of State for Education and Science, in exercise of the powers conferred on him by section 231(2) to (6) of the Education Reform Act 1988⁽¹⁾, and of all other powers enabling him in that behalf, hereby makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Education (London Residuary Body) (Transitional and Supplementary Provisions) Order 1992 and shall come into force on 1st August 1992.

(2) In this Order “Kensington and Chelsea” means the council of the Royal Borough of Kensington and Chelsea.

Application of specified provisions

2.—(1) The provisions specified in paragraph (2) below (“the specified provisions”) shall apply in relation to Kensington and Chelsea as respects a relevant course as if that council were the local education authority for the area comprising the area of all the inner London councils.

(2) The specified provisions are sections 1, 2 and 4 of, and Schedule 1 to, the Education Act 1962⁽²⁾, regulations made in exercise of the powers conferred by the said sections 1 and 4 and the said Schedule⁽³⁾, and section 209 of the Education Reform Act 1988.

(3) The specified provisions shall not apply to the other inner London councils or to the London Residuary Body to the extent that they apply to Kensington and Chelsea by virtue of paragraph (1) above.

(1) 1988 c. 40.

(2) 1962 c. 12; sections 1, 2 and 4 and Schedule 1 were substituted by section 19 of, and Schedule 5 to, the Education Act 1980 (c. 20); section 1(3)(d) was amended by section 4 of the Education (Grants and Awards) Act 1984 (c. 11).

(3) The current regulations made in exercise of those powers are the Education (Mandatory Awards) Regulations 1991 (S.I.1991/1838).

(4) In paragraph (1) above “a relevant course” means a course to which section 1 or (as the case may be) section 2 of the said Act of 1962 applies and in respect of which an award has been bestowed by the Inner London Education Authority or by the London Residuary Body.

Continuity

3. Anything which immediately before 1st August 1992 was in the process of being done by or in relation to the London Residuary Body in the exercise of or in connection with the specified functions as respects a relevant course may be continued by or in relation to Kensington and Chelsea.

Transfer of money

4.—(1) On 3rd August 1992 the London Residuary Body shall pay to Kensington and Chelsea £680,000 from revenue balances on its Inner London account.

(2) The sum paid in accordance with paragraph (1) above shall, subject to paragraph (3) below, be applied by Kensington and Chelsea only for defraying expenditure on or in connection with payments made by them under section 1 or 2 (local education authority awards) of the Education Act 1962 as a consequence of the making of this Order.

(3) Kensington and Chelsea shall pay to the London Residuary Body any balance of the sum referred to in paragraph (1) above which remains after all such payments referred to in paragraph (2) above have been made.

Revocation and transitional provision

5. The Education (Inner London Education Authority) (Transitional and Supplementary Provisions) Order 1990(4) is hereby revoked but nothing in this article shall prevent the Secretary of State from paying grant to the London Residuary Body under section 209 of the Education Reform Act 1988 in respect of amounts paid by it prior to 1st August 1992.

6th March 1992

Kenneth Clarke
Secretary of State for Education and Science

EXPLANATORY NOTE

(This note is not part of the Order)

This Order extends the application of the provisions of the Education Act 1962 which are concerned with mandatory and discretionary awards to students in so far as they apply to the council of the Royal Borough of Kensington and Chelsea (“Kensington and Chelsea”).

From 1st August 1992 Kensington and Chelsea is constituted the local education authority for the whole of the area of the former Inner London Education Authority, in the place of the London Residuary Body, in respect of awards to students that have been made by the Inner London Education Authority or by the London Residuary Body.

Section 209 of the Education Reform Act 1988, which places the Secretary of State under a duty to reimburse local education authorities for their mandatory awards expenditure, is applied so as to require the Secretary of State to meet such expenditure incurred by Kensington and Chelsea under this Order.

On 3rd August 1992 the London Residuary Body is to pay to Kensington and Chelsea £680,000 to defray awards expenditure, in particular discretionary awards expenditure, to be incurred by it under this Order.

The Education (Inner London Education Authority) (Transitional and Supplementary Provisions) Order 1990 which made similar provision in respect of these matters in relation to the London Residuary Body is revoked.