
STATUTORY INSTRUMENTS

1991 No. 1457

EDUCATION, ENGLAND AND WALES

The Education (Inner London Education Authority) (Transfer of Functions) Order 1991

<i>Made</i>	- - - -	<i>25th June 1991</i>
<i>Laid before Parliament</i>		<i>8th July 1991</i>
<i>Coming into force</i>	- -	<i>29th July 1991</i>

The Secretary of State for Education and Science, in exercise of the powers conferred on him by sections 180(4) and 231(2) of the Education Reform Act 1988⁽¹⁾, and of all other powers enabling him in that behalf, hereby makes the following Order:

1.—(1) This Order may be cited as the Education (Inner London Education Authority) (Transfer of Functions) Order 1991 and shall come into force on 29th July 1991.

(2) In this Order—

- (a) “the 1988 Act” means the Education Reform Act 1988; and
- (b) expressions to which a meaning is given for the purposes of Part III of the 1988 Act have the same meaning as in that Part.

2. Subject to article 3 below, the Secretary of State hereby confers on the London Residuary Body the statutory functions which before the abolition date were exercisable by ILEA under—

- (a) section 199(1) and (3) of the 1988 Act; and
- (b) Schedule 10 to the 1988 Act.

3. Notwithstanding the provisions of article 2 above, the Secretary of State hereby confers on each inner London council the statutory functions which before the abolition date were exercisable by ILEA under Schedule 10 to the 1988 Act in so far as they relate to or affect any property, rights or liabilities transferred to that council pursuant to section 168 of the 1988 Act.

4. Where by virtue of article 3 above any statutory functions of ILEA are conferred on an inner London council, it shall be the duty of that council before entering into any agreement with the Education Assets Board to consult the London Residuary Body in respect of any payments or amounts that might fall to be due to or payable by that Body in respect of any period before 1st April 1990 by virtue of section 180 of the 1988 Act.

(1) 1988 c. 40.

Status: This is the original version (as it was originally made).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

25th June 1991

K. Clarke
Secretary of State for Education and Science

EXPLANATORY NOTE

(This note is not part of the Order)

This Order confers on the London Residuary Body the statutory duties conferred on the Inner London Education Authority (“ILEA”) under Schedule 10 to the Education Reform Act 1988 to arrive with the Education Assets Board at such written agreements, and to execute such other instruments, as are necessary or expedient to identify or define property, rights and liabilities the subject of sections 74, 126 and 130 of the Education Reform Act 1988 (transfer of property to grant-maintained schools, higher education corporations and designated institutions). However, where such functions relate to or affect property, rights or liabilities transferred to an inner London council under section 168 of that Act they are instead transferred to that council. In certain circumstances the inner London council is obliged to consult the London Residuary Body before exercising such functions.

A further statutory duty under section 199 of the Education Reform Act 1988, formerly conferred on ILEA, is conferred on the London Residuary Body. This is the duty to arrive with the Education Assets Board at such written agreements as may be necessary for determining the amount of any liability of ILEA in respect of the principal of any loan which is an excepted liability, as defined in that section, and the terms to apply in relation to such liability.