
DRAFT STATUTORY INSTRUMENTS

2011 No.

The Greater Manchester Combined Authority Order 2011

PART 4

Additional Functions

Economic development and regeneration functions

10.—(1) The functions of the constituent councils set out in Schedule 3 to this Order are exercisable by the GMCA in relation to its area.

(2) The functions are exercisable concurrently with the constituent councils.

(3) Any requirement in any enactment for a constituent council to exercise such a function may be fulfilled by the exercise of that function by the GMCA.

Incidental provisions

11. The following provisions shall have effect as if the GMCA were a local authority for the purposes of these provisions—

(a) section 142(2) of the Local Government Act 1972⁽¹⁾ (the power to arrange for publication of information etc. relating to the functions of the authority); and

(b) section 222 of the Local Government Act 1972 (the power to instigate and defend legal proceedings).

12.—(1) The GMCA shall have the power to exercise any of the functions described in subsection (1)(a) and (b) of section 88 of the Local Government Act 1985⁽²⁾ (research and collection of information) whether or not a scheme is made under that section.

(2) For the purposes of paragraph (1) of this article, paragraphs (a) and (b) of section 88(1) of the Local Government Act 1985 shall have effect as if a reference to “that area” were a reference to the combined area.

13. Section 13 of the Local Government and Housing Act 1989⁽³⁾ shall have effect as if—

(a) in subsection (4), after paragraph (e) there were inserted—

“(ea) subject to subsection (4A), a committee appointed by the Greater Manchester Combined Authority;”;

⁽¹⁾ 1972 c.70. Section 142(2) was amended by the Local Government Act 1986 (c.10), section 3(1).

⁽²⁾ 1985 c.51, to which there are amendments not relevant to this Order.

⁽³⁾ 1989 c. 42. Section 13 was amended by the Education Act 1993 (c.35), section 307(1), (3), Schedule 19, paragraph 156(a), (c), (d), Schedule 21, Part 2; the Children Act 2004 (c.31), section 64, Schedule 5, Part 4; the Police and Magistrates’ Courts Act 1994 (c.29), section 43, Schedule 4, Part 1, paragraph 36(a), (b), section 93, Schedule 9, Part 1; the Marine and Coastal Access Act 2009 (c.23), section 184, Schedule 14, paragraphs 12, 14, section 321, Schedule 22, Part 4; the Environment Act 1995 (c.25), section 120, Schedule 24; the Education Act 1996 (c.56), section 582(1), (2), Schedule 37, paragraph 96(1), (2), (3), (4), (5), Schedule 38, Part 1; S.I. 2010/1158, article 5(1), (2), Schedule 2, Part 2, paragraph 38(1), (3), (4)(a), (b), (c), (5) (a), (b), Schedule 3, Part 2; the School Standards and Framework Act 1998 (c.31), section 140(1), Schedule 30, paragraph 22(a), (b); S.I. 2001/1517, articles 2, 6(1)(a), (b); the Local Democracy, Economic Development and Construction Act 2009 (c.20), section 119, Schedule 6, paragraphs 81(1), (3).

(b) after subsection (4) there were inserted—

“(4A) A person who is a member of a committee falling within paragraph (ea) of subsection (4) or a sub-committee appointed by such a committee shall for all purposes be treated as a non-voting member of that committee or sub-committee unless he is a member of one of the constituent councils as defined by article 2 of the Greater Manchester Combined Authority Order 2011.”.

14. The Apprenticeships, Skills, Children and Learning Act 2009⁽⁴⁾ shall have effect as if the GMCA were a local authority for the purposes of section 61(1)(c) and section 84(2).

⁽⁴⁾ 2009 c. 22. Sections 61(1)(c) and 84(2) were amended by S.I. 2010/1158, article 5(1), Schedule 2, Part 1, paragraph 16(1), (3).