



# Local Government Act 1972

## 1972 CHAPTER 70

### PART IX

#### FUNCTIONS

##### *Education, social and welfare services*

#### **192 Education.**

- (1) The local education authority for each non-metropolitan county [<sup>F1</sup>in England] shall be the council of the county and the local education authority for each metropolitan district shall be the council of the district [<sup>F2</sup>but, for each principal area in Wales, the local education authority shall be the council of that principal area].
- (2) No scheme of divisional administration shall be made under Part III of Schedule I to the <sup>M1</sup> Education Act 1944 and that Part of that Schedule shall cease to have effect.
- (3) Section 52 of the <sup>M2</sup> Local Government Act 1958 shall cease to have effect on the passing of this Act.
- (4) For the definition of “minor authority” in section 114(1) of the Education Act 1944 there shall be substituted the following definition:—

““minor authority” means, in relation to a school maintained by a local education authority,—

- (a) where the area which appears to the local education authority to be served by the school is a parish or community, the parish or community council or, in the case of a parish which has no council, the parish meeting;
- (b) where the said area is a community having no community council or is an area in England which is not within a parish and is not situated in a metropolitan county, the council of the district for the area concerned;

*Status: Point in time view as at 01/04/1996. This version of this provision has been superseded.*

*Changes to legislation: Local Government Act 1972, Section 192 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- (c) where the said area comprises two or more of the following, a parish, a community or an area in England which is not within a Parish and is not situated in a metropolitan county—
- (i) the parish or community council or councils, if any ;
  - (ii) in the case of a parish which has no council the parish meeting;
  - (iii) in the case of an area which is a community having no community council or which is in England and is not within a parish, the council of the district concerned ;

acting jointly.”

- (5) Subject to subsection (6) below any instrument made by an existing local education authority for an area outside Greater London in connection with the discharge of any of their functions, and any other thing done by or to or in relation to such an authority in connection therewith, shall be treated as having been made by, or done by or to or in relation to, the new local education authority to whom those functions are transferred by or by virtue of this Act, and any instrument relating to the exercise of those functions, or to things done in their exercise or property held or maintained for the purposes of those functions shall, so far as it so relates, have effect as if any reference to a specified existing local education authority for an area outside Greater London by whom those functions were exercisable or to the area of such an authority were a reference to the new local education authority to whom those functions are so transferred or to so much of the area of the new authority as includes the area of the existing authority, as the case may be.
- (6) Subsection (5) above is without prejudice to any express provision made by, or by any instrument made under, this Act, but has effect subject to any provision to the contrary so made and in particular may be excluded from applying, either wholly or to any specified extent, in any particular case by an order made by the Secretary of State.

#### Textual Amendments

- F1** Words in s. 192(1) inserted (1.4.1996) by 1994 c. 19, s. 21(2) (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 3, Sch. 1
- F2** Words in s. 192(1) added (1.4.1996) by 1994 c. 19, s. 21(2) (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 3, Sch. 1

#### Modifications etc. (not altering text)

- C1** The text of s. 192(2)–(4) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

#### Marginal Citations

- M1** 1944 c. 31.
- M2** 1958 c. 55.

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