



# Education Act 1996

## 1996 CHAPTER 56

### PART IX

#### ANCILLARY FUNCTIONS

#### CHAPTER I

##### ANCILLARY FUNCTIONS OF SECRETARY OF STATE

##### *General functions*

#### **[<sup>F1</sup>497A] Power to secure proper performance: duty of authority where directions contemplated**

Where, in relation to any function to which section 497A applies, the Secretary of State—

- (a) is satisfied as mentioned in subsection (2) or (2A)(b) of that section, and
- (b) has notified the [<sup>F2</sup>local authority] that he is so satisfied and that he is contemplating the giving of directions under subsection (4) or (4A) of that section,

the authority shall give the Secretary of State, and any person authorised by him for the purposes of this section, all such assistance, in connection with the proposed exercise of the function by the Secretary of State or another person in pursuance of directions, as they are reasonably able to give.]

#### **Textual Amendments**

- F1** S. 497AA inserted (26.7.2002 for E., 1.8.2003 for W.) by [Education Act 2002 \(c. 32\)](#), ss. 61, 216(4) (with ss. 210(8), 214(4)); [S.I. 2002/2002](#), art. 3; [S.I. 2003/1718](#), art. 4, Sch. Pt. I
- F2** Words in Act substituted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), **Sch. 2 para. 7(2)** (with Sch. 2 para. 7(4)(5))

**Status:** Point in time view as at 09/11/2016.

**Changes to legislation:** Education Act 1996, Section 497AA is up to date with all changes known to be in force on or before 24 June 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)

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

- C1** Ss. 495-498 modified (1.4.2003 for E.; 31.10.2005 for W.) by [Education Act 2002 \(c. 32\), ss. 34\(7\), 216\(4\)](#) (with [ss. 210\(8\), 214\(4\)](#)); [S.I. 2003/124, art. 4](#); [S.I. 2005/2910, art. 4, Sch.](#)
- C2** S. 497AA applied (with modifications) (1.3.2005 for E.; 1.10.2006 for W.) by [Children Act 2004 \(c. 31\), s. 50\(4\)\(5\), 67\(7\)\(e\)](#); [S.I. 2005/394, art. 2\(1\)\(f\)](#); [S.I. 2006/885, art. 4\(e\)](#)
- C3** S. 497AA applied (with modifications) (1.4.2007) by [Childcare Act 2006 \(c. 21\), s. 15\(4\)\(5\), 109\(2\)](#); [S.I. 2007/1019, art. 3](#)
- C4** S. 497AA applied (with modifications) (31.8.2008) by [Childcare Act 2006 \(c. 21\), s. 29\(4\)\(5\), 109\(2\)](#); [S.I. 2008/17, art. 2\(a\)](#)
- C5** S. 497AA: transfer of functions (7.8.2013) by [The Transfer of Functions \(Youth Leisure-time Activities\) Order 2013 \(S.I. 2013/1721\), arts. 1\(2\), 2\(b\)\(iv\)](#) (with art. 4)
- C6** S. 497AA modified (7.8.2013) by [The Transfer of Functions \(Youth Leisure-time Activities\) Order 2013 \(S.I. 2013/1721\), arts. 1\(2\), 3\(3\)\(d\)](#) (with art. 4)
- C7** S. 497AA functions transferred (9.11.2016) by [The Transfer of Functions \(Elections, Referendums, Third Sector and Information\) Order 2016 \(S.I. 2016/997\), arts. 1\(2\), 10\(2\)\(d\)](#) (with arts. 10(3), 11, 12)

**Status:**

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