



Childcare Act 2006

2006 CHAPTER 21

PART 1

GENERAL FUNCTIONS OF LOCAL AUTHORITY: ENGLAND

Miscellaneous

15 Powers of Secretary of State to secure proper performance etc.

[^{F1}(1) Section 496 of the 1996 Act (powers of Secretary of State to prevent unreasonable exercise of functions) applies in relation to the powers conferred or duties imposed on an English local authority by or under this Part as it applies in relation to the powers conferred or duties imposed on a local authority in England by or under the 1996 Act.]

(2) Section 497 of the 1996 Act (general default powers) applies in relation to the duties imposed on an English local authority by or for the purposes of this Part as it applies in relation to the duties imposed on a [^{F2}local authority in England] by or for the purposes of the 1996 Act.

[^{F3}(3) Section 497A of the 1996 Act (power to secure proper performance of a local authority's education functions) applies in relation to an English local authority's functions under this Part as it applies in relation to the education functions of a local authority in England.

(3A) In subsection (3) "education functions" has the meaning given by section 579(1) of the 1996 Act.]

(4) Sections 497AA and 497B of the 1996 Act apply accordingly where powers under section 497A of that Act are exercised in relation to any of the functions of an English local authority under this Part.

^{F4}(5)

(6) In subsection (5) of section 497A of the 1996 Act, the reference to functions to which that section applies includes (for all purposes) functions of an English local authority under this Part.

Status: Point in time view as at 26/12/2023.

Changes to legislation: Childcare Act 2006, Section 15 is up to date with all changes known to be in force on or before 18 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)

[^{F5}(6A) If any functions of an English local authority under this Part are exercisable by a combined authority by virtue of section 105 of the Local Democracy, Economic Development and Construction Act 2009—

- (a) a reference in any of subsections (3) to (6) to an English local authority includes a reference to the combined authority, and
- (b) a reference in those subsections to functions under this Part is, in relation to the combined authority, to be read as a reference to those functions so far as exercisable by the combined authority.]

[^{F6}(6B) If any functions of an English local authority under this Part are exercisable by a combined county authority by virtue of section 18 of the Levelling-up and Regeneration Act 2023—

- (a) a reference in any of subsections (3) to (6) to an English local authority includes a reference to the combined county authority, and
- (b) a reference in those subsections to functions under this Part is, in relation to the combined county authority, to be read as a reference to those functions so far as exercisable by the combined county authority.]

(7) In this section, “the 1996 Act” means the Education Act 1996 (c. 56).

Textual Amendments

- F1** S. 15(1) substituted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), art. 1, **Sch. 2 para. 58(2)(a)**
- F2** Words in s. 15(2) substituted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), art. 1, **Sch. 2 para. 58(2)(b)**
- F3** S. 15(3)(3A) substituted for s. 15(3) (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), art. 1, **Sch. 2 para. 58(2)(c)**
- F4** S. 15(5) repealed (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), art. 1, Sch. 2 para. 58(2)(d), **Sch. 3 Pt. 2**
- F5** S. 15(6A) inserted (31.10.2017) by [Children and Social Work Act 2017 \(c. 16\)](#), **ss. 33(2)**, 70(2); S.I. 2017/918, reg. 2(c)
- F6** S. 15(6B) inserted (26.12.2023) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), s. 255(2)(c), **Sch. 4 para. 160** (with s. 247)

Modifications etc. (not altering text)

- C1** S. 15 modified (3.11.2016) by [Childcare Act 2016 \(c. 5\)](#), **ss. 2(7)**, 7(2); S.I. 2016/1055, reg. 2(b)

Commencement Information

- I1** S. 15 in force at 1.4.2007 by [S.I. 2007/1019](#), **art. 3**

Status:

Point in time view as at 26/12/2023.

Changes to legislation:

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