

2003 No. 2704

CONTRACTING OUT

**The Contracting Out (Local Education Authority Functions)
(England) (Amendment) Order 2003**

Made - - - - - *20th October 2003*

Coming into force - - - - - *27th October 2003*

Whereas a draft of this Order has been laid before and approved by a resolution of each House of Parliament pursuant to section 77(2) of the Deregulation and Contracting Out Act 1994 (**a**);

Whereas the Secretary of State has consulted such representatives of local authorities as he considers appropriate in accordance with section 70(3)(a) of that Act;

Now, therefore, in exercise of the powers conferred by sections 70(2) and (4) of the Deregulation and Contracting Out Act 1994, the Secretary of State for Education and Skills hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Contracting Out (Local Education Authority Functions) (England) (Amendment) Order 2003 and shall come into force on the seventh day after the day on which it is made.

Amendment

2. The Contracting Out (Local Education Authority Functions) (England) Order 2002(**b**) shall be amended as set out below.

3. In Schedule 2—

- (a) after paragraph (x), there is inserted “(xa) section 89B(**c**) (Co-ordination of admission arrangements);”; and
- (b) after paragraph (bb) there is inserted “(bba) section 118A(**d**) (Duties of LEA in respect of childcare);”.

(**a**) 1994 c.40
(**b**) S.I. 2002/928
(**c**) Section 89B was inserted by section 48 of the Education Act 2002 (c.32).
(**d**) Section 118A was inserted by section 149 of the Education Act 2002.

4. In Schedule 3 after paragraph (s) there is inserted “(t) section 44 of the Education Act 2002 (duty to provide copies of accounts of maintained schools to Secretary of State).”.

20th October 2003

David Miliband
Minister of State
Department for Education and Skills

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Contracting Out (Local Education Authority Functions) (England) Order 2002. That order (“the 2002 Order”) enabled local education authorities to authorise other persons to exercise certain specified statutory functions of the authority on its behalf. The statutory functions which the authority could delegate in this way are specified in the Schedules to the 2002 Order. This Order amends the 2002 Order so that it now covers three new statutory functions of local education authorities which were created or amended by the Education Act 2002.

STATUTORY INSTRUMENTS

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