
STATUTORY INSTRUMENTS

2024 No. 402

**The North East Mayoral Combined Authority
(Establishment and Functions) Order 2024**

PART 6

Education, Skills and Training

Functions of the constituent councils to be exercised concurrently with the Combined Authority

33.—(1) The functions of the constituent councils described in the provisions set out in paragraph (2) are exercisable by the Combined Authority in relation to the Combined Area.

(2) The provisions referred to in paragraph (1) are—

- (a) section 51A of the Further and Higher Education Act 1992 (duty to provide for named individuals: England)(1);
- (b) section 13A of the Education Act 1996 (duty to promote high standards and fulfilment of potential)(2);
- (c) sections 15ZA, 15ZB, 15ZC, 18A(1)(b), 514A and 560A of the Education Act 1996 (duties and powers related to the provision of education and training for persons over compulsory school age)(3);
- (d) section 10 of the Education and Skills Act 2008 (local authority to promote fulfilment of duty imposed by section 2)(4);
- (e) section 12 of the Education and Skills Act 2008 (duty to make arrangements to identify persons not fulfilling duty imposed by section 2)(5);
- (f) section 68 of the Education and Skills Act 2008 (support services: provision by local authorities)(6);
- (g) section 70 of the Education and Skills Act 2008 (local authorities: supplementary powers)(7);

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- (1) Section 51A was inserted by section 44 of the Apprenticeships, Skills, Children and Learning Act 2009 (c.22) and was amended by [S.I. 2010/1158](#).
 - (2) Section 13A was inserted by section 59 of, and paragraph 3 of Schedule 2 to, the Apprenticeships, Skills, Children and Learning Act 2009 (c. 22) and amended by section 82 of, and paragraph 4 of Schedule 3 to, the CFA 2014 and by [S.I. 2010/1158](#).
 - (3) Sections 15ZA, 15ZB, 15ZC, 18A, 514A and 560A were inserted by sections 41, 42, 46 to 48 of the Apprenticeships, Skills, Children and Learning Act 2009 (c. 22). Section 15ZA was amended by paragraph 5 of Schedule 3 to the CFA 2014, by paragraph 44 of Schedule 14(2) to the Deregulation Act 2015 and by [S.I. 2010/1158](#) and [2015/1852](#). Section 15ZC was amended by [S.I. 2010/1158](#) and [2015/1852](#). Section 18A was also amended by section 30(7) of the EA 2011, sections 30 and 82 and by paragraph 8 of Schedule 3 to the CFA 2014 and [S.I. 2010/1158](#). Section 514A was amended by paragraph 50 of Schedule 3 to the CFA 2014 and [S.I. 2010/1158](#). Section 560A was amended by paragraph 54 of Schedule 3 to CFA 2014 and [S.I. 2010/1158](#).
 - (4) Section 10 was amended by [S.I. 2010/1158](#).
 - (5) Section 12 was amended by [S.I. 2010/1158](#).
 - (6) Section 68 was amended by section 28 of the EA 2011 and by [S.I. 2010/1158](#).
 - (7) Section 70 was amended by section 28 of the EA 2011 and by [S.I. 2010/1158](#).

- (h) section 71 of the Education and Skills Act 2008 (provision of support on conditional basis: learning and support agreements)(**8**); and
 - (i) section 85 of the Education and Skills Act 2008 (co-operation as regards provision of 14–19 education and training)(**9**).
- (3) The functions are exercisable concurrently with the constituent councils.
- (4) Any requirement in any enactment for—
- (a) a constituent council to exercise any of the functions referred to in paragraph (1) may be fulfilled by the exercise of that function by the Combined Authority;
 - (b) the Combined Authority to exercise any of the functions referred to in paragraph (1) may be fulfilled by the exercise of that function by a constituent council.
- (5) The provisions referred to in paragraph (1) apply to the Combined Authority as they apply to a constituent council.

(**8**) Section 71 was amended by section 28 of the EA 2011.

(**9**) Section 85 was amended by [S.I. 2010/1158](#).