Changes to legislation: Local Government Act 1972, SCHEDULE 29 is up to date with all changes known to be in force on or before 25 April 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)

## SCHEDULES

#### SCHEDULE 29

Section 251.

## ADAPTATION, MODIFICATION AND AMENDMENT OF ENACTMENTS

## PART I

#### GENERAL ADAPTATION OF ENACTMENTS

- 1 (1) This paragraph applies to any enactment passed before, or during the same session as, this Act, and any instrument made before this Act under any enactment.
  - (2) Any reference in any such enactment or instrument to a local authority within the meaning of the 1933 Act shall be construed as a reference to a local authority within the meaning of this Act.
- In any enactment or instrument to which paragraph 1 above applies any reference to a district which is such a reference by virtue only of a provision of this Act shall be construed as a reference to a district within the meaning of this Act.
- In any enactment or instrument to which paragraph 1 above applies—
  - (a) references to expenses, including expenses of a specified description, incurred for general county purposes or general London purposes or to expenditure on which the whole of the county or the whole of Greater London is chargeable shall be construed as references to general expenses of a county council or the Greater London Council, as the case may be:
  - (b) references to expenses, including expenses of a specified description, incurred for special county purposes or special London purposes or to expenditure on which a part only of the county or Greater London is chargeable shall be construed as references to special expenses of a county council or the Greater London Council, as the case may be; and
  - (c) references to receipts of a county council or the Greater London Council for general or special county purposes shall be construed as references to receipts of a county council or the Greater London Council in respect of general or, as the case may be, special expenses.
- 4 (1) Subject to sub-paragraph (2) below, in any enactment or instrument to which paragraph 1 above applies—
  - (a) any reference to a specified officer of a local authority shall be construed as a reference to the proper officer of a local authority;
  - (b) any reference to a specified officer of a county council shall be construed as a reference to the proper officer of a county council;
  - (c) any reference to a specified officer of a borough or of the council of a county district (whether referred to as such or as the council of a borough or urban or rural district) shall be construed as a reference to the proper officer of a district council;

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- (d) any reference to a specified officer of a rural parish (whether referred to as such or as a parish) shall be construed as a reference to the proper officer of a parish or community council, as the case may be.
- (2) Sub-paragraph (1) above shall not apply in any case where the reference is to any officer of a specified local authority which ceases to exist by virtue of section 1 or 20 of this Act, and shall not apply to any reference in any enactment to an officer specified in section 112(4) above.
- In any enactment or instrument to which paragraph 1 above applies any reference to a representative body of a parish—
  - (a) as respects England, shall be construed as a reference to the parish trustees of the parish; and
  - (b) as respects Wales, shall be disregarded.
- 6 (1) This paragraph applies for the construction of any enactment passed before 22nd March 1967, and shall have effect subject to any contrary intention which may appear in any such enactment.
  - (2) In any such enactment any reference to a parish shall—
    - (a) as respects those areas in England outside Greater London which immediately before 1st April 1974 constituted urban parishes, other than urban parishes in a rural district, be construed as a reference to each such area or, where the area is divided between more than one district, as a reference to each part of the area so divided; and
    - (b) in the case of the areas mentioned in paragraph 3 of Part IV of Schedule 1 to this Act, be construed as a reference to each such area.
  - (3) In any such enactment any reference to an urban parish shall, as respects those areas of England outside Greater London which immediately before 1st April 1974 constituted urban parishes, be construed as a reference to each such area or, where the area is divided between more than one district, as a reference to each part of the area so divided.
  - (4) In any such enactment any reference to a rural parish shall as respects the areas mentioned in paragraph 3 of Part IV of Schedule 1 to this Act be construed as a reference to each such area.
  - (5) In any such enactment any reference to an urban parish shall as respects Wales be construed as a reference to a community.
  - (6) As respects Greater London any reference to a parish or urban parish—
    - (a) in any such enactment relating to rating and valuation shall be construed as a reference to a rating district;
    - (b) in any other such enactment shall be construed as a reference to a rating area.

<sup>F1</sup>7 ........

#### **Textual Amendments**

- F1 Sch. 29 para. 7 repealed by Local Government Finance Act 1982 (c. 32, SIF 81:1), s. 38(5), Sch. 6 Pt. IV (with saving in S.I. 1983/249, reg. 2)
- The foregoing provisions of this Schedule shall have effect subject to any provision to the contrary made by, or by any instrument made under, this Act.

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#### PART II

## PARTICULAR MODIFICATIONS AND AMENDMENTS

#### Allotments

- 9 (1) As respects a parish in England those functions under the Allotments Acts 1908 to 1950 which, apart from this paragraph, would be exercisable both by the district council and the parish council or parish meeting shall not be exercisable by the district council.
  - X1(2) In section 34 of the MI Small Holdings and Allotments Act 1908, in subsection (1), for the words from "submit to the council" to the words "partly situate" there shall be substituted the words "prepare and carry into effect".
  - X1(3) In subsection (2) of that section, for the words from "no county council" to the words "being made" there shall be substituted the words "Upon such a scheme being carried into effect".
  - <sup>X1</sup>(4) In section 39(7) of that Act, for the word "county", wherever occurring, there shall be substituted the word "district".

(5)	F2																															
(2)		٠	٠	٠	٠	٠	٠	٠	٠	٠	٠	٠	٠	٠	٠	٠	٠	•	٠	٠	•	٠	٠	٠	٠	٠	•	٠	٠	•	٠	•

## **Editorial Information**

The text of Sch. 29 paras. 9(2)–19, 21–45 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

## **Textual Amendments**

Sch. 29 para. 9(5) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 10 Group 1}

## **Marginal Citations**

M1 1908 c. 36.

<sup>x2</sup>10 (1) <sup>F3</sup>.....

(2) In section 12(1) and in section 17 of that Act, for the word "county" there shall be substituted the word "district".

#### **Editorial Information**

The text of Sch. 29 paras. 9(2)–19, 21–45 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

## **Textual Amendments**

Sch. 29 para. 10(1) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 10 Group 1}

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Changes to legislation: Local Government Act 1972, SCHEDULE 29 is up to date with all changes known to be in force on or before 25 April 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)

#### **Textual Amendments**

F4 Sch. 29 para. 11 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), Sch. 1 Pt 3

## Ancient monuments

12 F5

#### **Textual Amendments**

F5 Sch. 29 para. 12 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 10 Group 1}

## Betting and gaming

- (1) In paragraph 1(1)(a) of Schedule 2 to the M2Betting, Gaming and Lotteries Act 1963 for the words "county, county borough or London borough" there shall be substituted the words "district or London borough and the Common Council of the City of London".
  - (2) In Schedule 3 to that Act, in paragraphs 5(2)(a)(i) and 6(2)(b), for the words "county district" there shall be substituted the word "county"; . . . <sup>F6</sup>

## **Textual Amendments**

**F6** Words repealed by Local Government Act 1985 (c. 51, SIF 81:1), ss. 1, 102, **Sch. 17** 

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

C1 The text of Sch. 29 paras. 9(2)–19, 21–45 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

# **Marginal Citations**

**M2** 1963 c. 2.

## Caravan sites

In section 23 of the M3Caravan Sites and Control of Development Act 1960 for the words "rural district council", wherever occurring there shall be substituted the words "district council".

## **Editorial Information**

X3 The text of Sch. 29 paras. 9(2)–19, 21–45 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

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## **Marginal Citations**

**M3** 1960 c. 62.

## Celluloid and cinematograph film

In section 9 of the M4Celluloid & Cinematograph Film Act 1922, in the definition of "local authority" for the words following "means" there shall be substituted the words "the council of a county or London borough or the Common Council of the City of London".

#### **Editorial Information**

X4 The text of Sch. 29 paras. 9(2)–19, 21–45 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

## **Marginal Citations**

M4 1922 c. 35.

## Children and young persons

16 F7 .....

## **Textual Amendments**

F7 Sch. 29 para. 16 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 10 Group 1}

## Coast protection

- x517 (1) In section 20 of the M5Coast Protection Act 1949,—
  - (a) in subsections (1) to (4), for the words "county district", wherever occurring, there shall be substituted the words "maritime district";
  - (b) in subsection (5), for the words "county borough" there shall be substituted the word "district".
  - (2) F8.....

#### **Editorial Information**

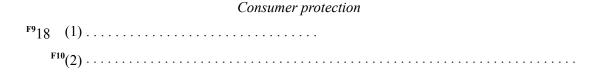
X5 The text of Sch. 29 paras. 9(2)–19, 21–45 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

## **Textual Amendments**

F8 Sch. 29 para. 17(2) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 10 Group 1}

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#### **Textual Amendments**

F9 Sch. 29 para. 18(1) repealed by Consumer Protection Act 1987 (c. 43, SIF 109), s. 48(3), Sch. 5

**F10** Sch. 29 para. 18(2) repealed by Consumer Safety Act 1978 (c. 38), s. 10(1), Sch. 3

## **Explosives**

- In section 67 of the M6Explosives Act 1875 for paragraph (3) there,7. shall be substituted the following:—
  - "(3) Outside Greater London, the council of a county; and" and paragraph (5) of that section shall be omitted.

#### **Editorial Information**

**X6** The text of Sch. 29 paras. 9(2)–19, 21–45 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

## **Marginal Citations**

**M6** 1875 c. 17.

Gas

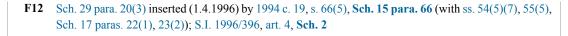
20 FII(1).....

- (2) Every application for a certificate under Schedule 3 to that Act with regard to planning permission for the carrying out of controlled operations shall, outside Greater London, be made to the district planning authority, but shall be dealt with by the local planning authority who would have dealt with an application for planning permission for the carrying out of those operations, and the district planning authority shall, as soon as may be after they have received any application for such a certificate which falls to be dealt with by the county planning authority, send the application to the latter.
- [F12(3) Sub-paragraph (2) above does not apply in relation to Wales.]

#### **Textual Amendments**

**F11** Sch. 29 para. 20(1) repealed by Water Act 1989 (c. 15, SIF 130), ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58, **Sch. 27 Pt. I** 

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

C2 "Sch. 3 to that Act" means Sch. 3 to the Gas Act 1965 (c. 36)

<sup>F13</sup>21 .....

#### **Textual Amendments**

F13 Sch. 29 para. 21 repealed by Endowments and Glebe Measure 1976 (No. 4, SIF 21:8), s. 47(4), Sch. 8

## House to house and street collections

- In section 5 of the M7Police, Factories, &c (Miscellaneous Provisions) Act 1916, in subsection (1) for the words "A police authority" there shall be substituted the words "Each of the authorities specified in subsection (IA) below" and for the words "the police" there shall be substituted the word "their", and at the end of that subsection there shall be inserted the following subsection:—
  - "(1A) The authorities referred to in subsection (1) above are—
    - (a) the Common Council of the City of London,
    - (b) the police authority for the Metropolitan Police District, and
    - (c) the council of each district;

but any regulations made by a district council under that subsection shall not have effect with respect to any street or public place which is within the Metropolitan Police District as well as within the district."

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

C3 The text of Sch. 29 paras. 9(2)–19, 21–45 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

## **Marginal Citations**

**M7** 1916 c. 13.

- 23 (1) In section 2 of the M8House to House Collections Act 1939, in subsection (1), for the word "police", in the first place where it occurs, there shall be substituted the word "licensing" and the word "police", in the second place where it occurs, shall be omitted.
  - (2) After that subsection there shall be inserted the following subsection:—
    - "(1A) In this section "licensing authority" means—
      - (a) in relation to the City of London, the Common Council;
      - (b) in relation to the Metropolitan Police District, the Commissioner of Police for the Metropolis; and
      - (c) in relation to a district exclusive of any part thereof within the Metropolitan Police District, the district council."

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- (3) In that section, in the proviso to subsection (2) and in subsections (3), (4) and (6), for the word "police", wherever it occurs, there shall be substituted the word "licensing".
- (4) In section 4(2)(e) of that Act the word "police" shall be omitted.
- (5) In section 9 of that Act, in subsection (2), for the words from "said Commissioner" to the end of the subsection there shall be substituted the words "Commissioner of Police for the Metropolis by virtue of his being a licensing authority within the meaning of section 2 of this Act".

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

C4 The text of Sch. 29 paras. 9(2)–19, 21–45 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

# **Marginal Citations**

**M8** 1939 c. 44.

#### **Textual Amendments**

F14 Sch. 27 paras. 24, 25 repealed by Land Drainage Act 1976 (c. 70, SIF 73:1), s. 117(3), Sch. 8

## Land registration

26 F15

# **Textual Amendments**

F15 Sch. 29 para. 26 repealed (13.10.2003) by Land Registration Act 2002 (c. 9), ss. 135, 136(2), Sch. 13 (with s. 129, Sch. 12 para. 1); S.I. 2003/1725, art. 2 (and expressed to be repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 10 Group 1})

## Licensing of Places of entertainment

<sup>F16</sup>27 .....

#### **Textual Amendments**

F16 Sch. 29 para. 27 repealed by Local Government (Miscellaneous Provisions) Act 1982 (c. 30, SIF 81:1), s. 47, Sch. 7 Pt. I

- At the end of section 25 of the M9Mines and Quarries (Tips) Act 1969 there shall be added the following subsection—
  - "(6) Where, by virtue of Part VI of the Local Government Act 1972, a district council incurs any such expenditure as is referred to in subsection (1), grants

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under this section may be made to the district council and references to a local authority shall be construed accordingly."

#### **Editorial Information**

X7 The text of Sch. 29 paras. 9(2)–19, 21–45 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

## **Marginal Citations**

**M9** 1969 c. 10.

F1729

#### **Textual Amendments**

F17 Sch. 27 para. 29 repealed by New Towns Act 1981 (c. 64, SIF 123:3), s. 81, Sch. 13

## Nurses agencies

[F18X830] In section 2 of the M10 Nurses Agencies Act 1957, in subsection (1), for the words following "in relation to", in the second place where they occur, there shall be substituted the words "a non-metropolitan county or London borough, the council of that county or borough, and in relation to a metropolitan district, the council of that district ".]

#### **Editorial Information**

X8 The text of Sch. 29 paras. 9(2)–19, 21–45 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

## **Textual Amendments**

F18 Sch. 29 para. 30 repealed (1.1.2003 (E.) and otherwise prosp.) by 2000 c. 14, ss. 117(2), 122, Sch. 6; S.I. 2001/4150, art. 3(4) as amended by S.I. 2002/1790, art. 3 and S.I. 2002/2001, art. 4 (subject to transitional provisions in S.I. 2001/4150 art. 4 as amended by S.I. 2002/1493, art. 6)

## Marginal Citations

M10 1957 c. 16.

## Offices, shops and railway premises

In section 88 of the MII Offices, Shops and Railway Premises Act 1963, for the words "county borough" and the word "borough" there shall in each case be substituted the word "district".

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#### **Editorial Information**

**X9** The text of Sch. 29 paras. 9(2)–19, 21–45 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

## **Marginal Citations**

M11 1963 c. 41.

## Petroleum spirit

In section 2(1)(c) of the M12Petroleum (Consolidation) Act 1928 for the words "the district council" there shall be substituted the words "the county council".

## **Editorial Information**

**X10** The text of Sch. 29 paras. 9(2)–19, 21–45 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

## **Marginal Citations**

M12 1928 c. 32.

## Pharmacy and poisons

<sup>F19</sup>33 .....

## **Textual Amendments**

**F19** Sch. 29 para. 33 repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt. X** Gp. 1.

## Plant health

- In section 5 of the M13Plant Health Act 1967, for subsection (3) there shall be substituted the following subsection:—
  - "(3) The local authorities for the purposes of this Act shall be the councils of nonmetropolitan counties, metropolitan districts and London boroughs and the Common Council of the City of London".

#### **Editorial Information**

X11 The text of Sch. 29 paras. 9(2)–19, 21–45 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

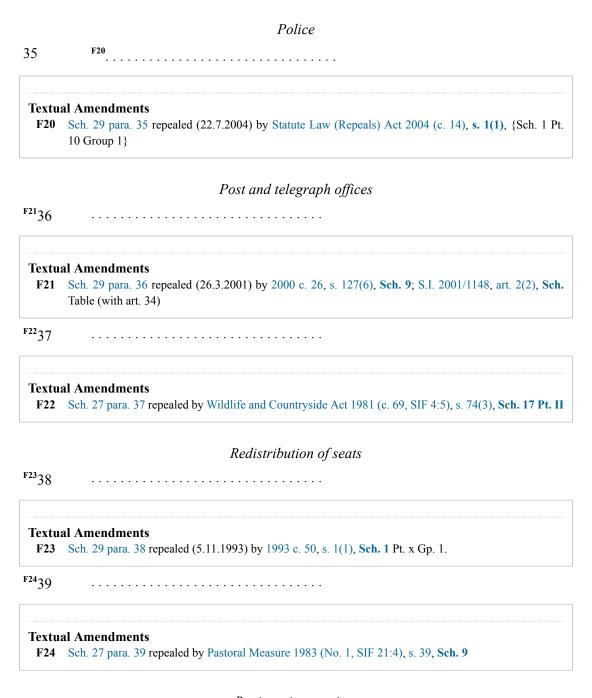
## **Marginal Citations**

M13 1967 c. 8.

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# Registration services

- In section 57(4) of the M14Marriage Act 1949, for the words following "the certified copy" there shall be substituted the words "and that sum shall be reimbursed to the superintendent registrar—
  - (a) in the case of a registration district in the City of London, the Inner Temple and the Middle Temple, by the Common Council of the City of London;
  - (b) in any other case, by the council of the non-metropolitan county, metropolitan district or London borough in which his registration district is situated".

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#### **Editorial Information**

**X12** The text of Sch. 29 paras. 9(2)–19, 21–45 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

## **Marginal Citations**

M14 1949 c. 76.

- X1341 (1) In sections 5(1), 10(1) and 13(1) of the M15Registration Service Act 1953, for the words "county and county borough", wherever occurring, there shall be substituted the words "non-metropolitan county and metropolitan district".
  - (2) F25.....
  - (3) In section 9(1) of that Act, for the words from "clerk of the county council" to the words "or county borough" there shall be substituted the words "proper officer of the non-metropolitan county or metropolitan district".
  - (4) In sections 9(2) and 13(2)(h) and (3)(b) of that Act, for the words "clerk of the county council or town clerk of the county borough" there shall be substituted the words "proper officer of the non-metropolitan county or metropolitan district".
  - (5) In section 20(b) of that Act, for the words "clerks of county councils, town clerks of county boroughs" there shall be substituted the words "proper officers of non-metropolitan counties and metropolitan districts".
  - (6) In section 21(2)(b) of that Act, for the words "county borough" in both places where they occur, there shall be substituted the words "metropolitan district".

## **Editorial Information**

X13 The text of Sch. 29 paras. 9(2)–19, 21–45 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

## **Textual Amendments**

**F25** Sch. 29 para. 41(2) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **s. 1(1)**, {Sch. 1 Pt. 17 Group 10}

# **Marginal Citations**

M15 1953 c. 37.

## Riding establishments

In section 6(4) of the M16Riding Establishments Act 1964 in the definition of "local authority", for the words "county borough" there shall be substituted the word "district" and the words from "as respects any non-county borough" to "of the county" shall be omitted.

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#### **Editorial Information**

X14 The text of Sch. 29 paras. 9(2)–19, 21–45 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

## **Marginal Citations**

M16 1964 c. 70.



## **Textual Amendments**

F26 Sch. 29 para. 43 repealed (1.12.1994) by 1994 c. 40, s. 81, Sch. 17; S.I. 1994/3037, arts. 2, 3(e)(iv)

## Social services

- X1544 (1) In sections 47(12) F27. . . of the M17National Assistance Act 1948, for the words "county boroughs and county districts" there shall be substituted the words "districts and London boroughs and the Common Council of the City of London".
  - (2) In section 1(5) of the M18 Trading Representations (Disabled Persons) Act 1958 for the words "county borough or count district or a metropolitan borough" there shall be substituted the words "other than a metropolitan county, or of a district or London borough".
  - (3) In section 46(4) of the M19London Government Act 1963 for the words "county borough" there shall be substituted the words "London borough".
  - (4) In section 5(6) of the M20 Local Authority Social Services Act 1970, for the words "section 59 of the Local Government Act 1933" there shall be substituted the words "section 80 of the Local Government Act 1972".

# **Editorial Information**

X15 The text of Sch. 29 paras. 9(2)–19, 21–45 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

## **Textual Amendments**

F27 Words repealed by Public Health (Control of Disease) Act 1984 (c. 22, SIF 100:1), s. 78, Sch. 3

## **Marginal Citations**

**M17** 1948 c. 29.

M18 1958 c. 49.

M19 1963 c. 33.

M20 1970 c. 42.

Changes to legislation: Local Government Act 1972, SCHEDULE 29 is up to date with all changes known to be in force on or before 25 April 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)

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## **Status:**

Point in time view as at 22/07/2004.

## **Changes to legislation:**

Local Government Act 1972, SCHEDULE 29 is up to date with all changes known to be in force on or before 25 April 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.