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;

- (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.

^{F1}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 ".
 - ^{X1}(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.

^{x2}10 (1) ^{F3}.....

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

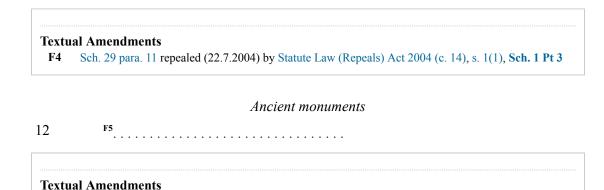
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Textual Amendments

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}

11



Betting and gaming

Sch. 29 para. 12 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt.

13 F6.....

Textual Amendments

10 Group 1}

F6 Sch. 29 para. 13 repealed (1.9.2007) by Gambling Act 2005 (c. 19), ss. 356, 358, **Sch. 17** (with ss. 352, 354); S.I. 2006/3272, **art. 2**

Caravan sites

In section 23 of the M2Caravan 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.

Marginal Citations

M2 1960 c. 62.

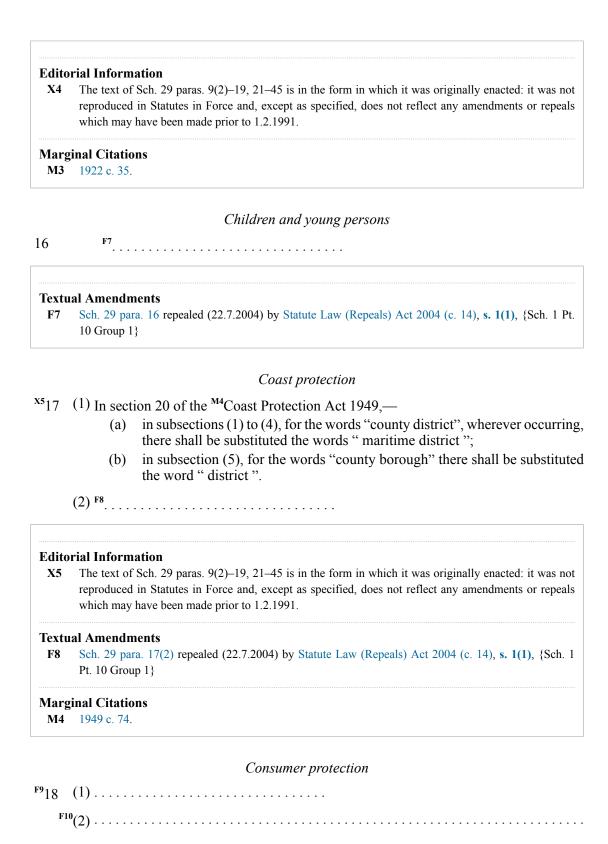
Celluloid and cinematograph film

In section 9 of the M3Celluloid & 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".

SCHEDULE 29 - Adaptation, Modification and Amendment of Enactments

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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 M5 Explosives 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

M5 1875 c. 17.

Gas

- 20 F11(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
- F12 Sch. 29 para. 20(3) inserted (1.4.1996) by 1994 c. 19, s. 66(5), Sch. 15 para. 66 (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 4, Sch. 2

Modifications etc. (not altering text)

C1 "Sch. 3 to that Act" means Sch. 3 to the Gas Act 1965 (c. 36)

^{F13}21

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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 M6Police, 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)

C2 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 1916 c. 13.

- 23 (1) In section 2 of the M7House 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."
 - (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)

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 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

F1627

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 M8Mines 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 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.

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Marginal Citations

1969 c. 10. M8

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

IF18X830 In section 2 of the M9 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

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. 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. 2001/4150art. 4 as amended by S.I. 2002/1493, art. 6)

Marginal Citations

M9 1957 c. 16.

Offices, shops and railway premises

X931 In section 88 of the M10 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".

Editorial Information

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Marginal Citations

M10 1963 c. 41.

Petroleum spirit

In section 2(1)(c) of the MII Petroleum (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

M11 1928 c. 32.

Pharmacy and poisons

F1933

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 M12Plant 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

M12 1967 c. 8.

Police

35 F20

Textual Amendments

F20 Sch. 29 para. 35 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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Registration services

- In section 57(4) of the M13Marriage 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".

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

M13 1949 c. 76.

- X1341 (1) In sections 5(1), 10(1) and 13(1) of the M14Registration Service Act 1953, for the words "county and county borough", wherever occurring, there shall be substituted the words "non-metropolitan county and metropolitan district".

 - (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

M14 1953 c. 37.

Riding establishments

In section 6(4) of the M15Riding 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.

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.

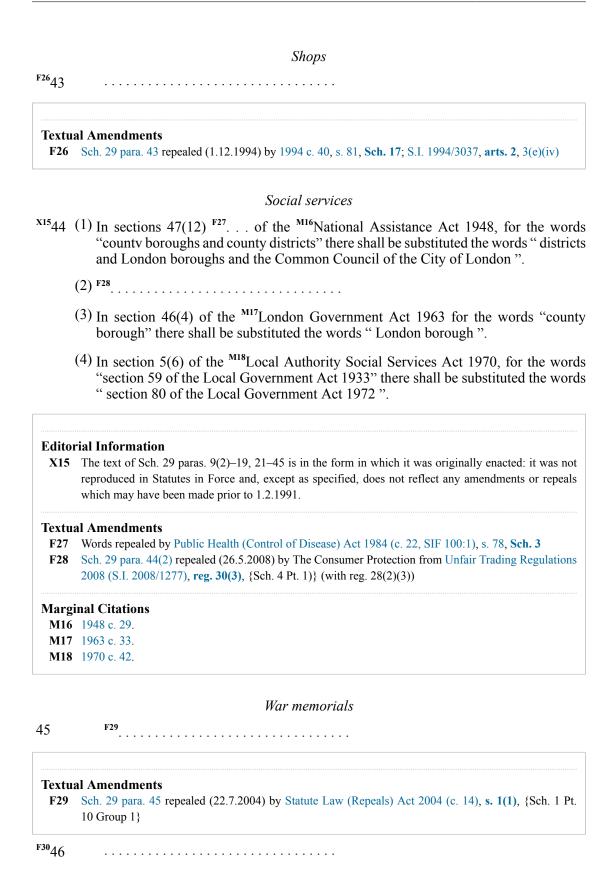
Marginal Citations

M15 1964 c. 70.

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Textual Amendments

F30 Sch. 27 para. 46 repealed by Employment Act 1989 (c. 38, SIF 43:1), s. 29(4), Sch. 7 Pt. II

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 80(3B) omitted by 2021 asc 1 Sch. 2 para. 1(3)(c)
- s. 101(6ZA) inserted by 2023 c. 55 Sch. 12 para. 2
- s. 123(2C) inserted by 2023 c. 55 s. 75
- s. 131(2)(n) and word inserted by 2023 asc 3 Sch. 13 para. 16