



# Local Government Act 1972

## 1972 CHAPTER 70

### PART VI **E+W**

#### DISCHARGE OF FUNCTIONS

#### **101 Arrangements for discharge of functions by local authorities. **E+W****

- (1) Subject to any express provision contained in this Act or any Act passed after this Act, a local authority may arrange for the discharge of any of their functions—
- (a) by a committee, a sub-committee or an officer of the authority; or
  - (b) by any other local authority.

[<sup>F1</sup>(1A) A local authority may not under subsection (1)(b) above arrange for the discharge of any of their functions by another local authority if, or to the extent that, that function is also a function of the other local authority and is the responsibility of the other authority's executive.

- (1B) Arrangements made under subsection (1)(b) above by a local authority ("the first authority") with respect to the discharge of any of their functions shall cease to have effect with respect to that function if, or to the extent that,—
- (a) the first authority are operating or begin to operate executive arrangements, and that function becomes the responsibility of the executive of that authority; or
  - (b) the authority with whom the arrangements are made ("the second authority") are operating or begin to operate executive arrangements, that function is also a function of the second authority and that function becomes the responsibility of the second authority's executive.

(1C) Subsections (1A) and (1B) above do not affect arrangements made by virtue of section [<sup>F2</sup>9EA or] 19 of the Local Government Act 2000 (discharge of functions of and by another authority).]

[<sup>F3</sup>(1D) A combined authority may not arrange for the discharge of any functions under subsection (1) if, or to the extent that, the function is a mayoral function of a mayor for the area of the authority.

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- (1E) [<sup>F4</sup>In subsection (1D) “mayoral function”] has the meaning given by section 107G(7) of the Local Democracy, Economic Development and Construction Act 2009.]
- [<sup>F5</sup>(1F) A combined county authority may not arrange for the discharge of any functions under subsection (1) if, or to the extent that, the function is a mayoral function of a mayor for the area of the authority.
- (1G) In subsection (1F) “mayoral function” has the meaning given by [section 41\(8\)](#) of the Levelling-up and Regeneration Act 2023.]
- (2) Where by virtue of this section any functions of a local authority may be discharged by a committee of theirs, then, unless the local authority otherwise direct, the committee may arrange for the discharge of any of those functions by a sub-committee or an officer of the authority and where by virtue of this section any functions of a local authority may be discharged by a sub-committee of the authority, then, unless the local authority or the committee otherwise direct, the sub-committee may arrange for the discharge of any of those functions by an officer of the authority.
- (3) Where arrangements are in force under this section for the discharge of any functions of a local authority by another local authority, then, subject to the terms of the arrangements, that other authority may arrange for the discharge of those functions by a committee, sub-committee or officer of theirs and subsection (2) above shall apply in relation to those functions as it applies in relation to the functions of that other authority.
- (4) Any arrangements made by a local authority or committee under this section for the discharge of any functions by a committee, sub-committee, officer or local authority shall not prevent the authority or committee by whom the arrangements are made from exercising those functions.
- (5) Two or more local authorities may discharge any of their functions jointly and, where arrangements are in force for them to do so,—
- (a) they may also arrange for the discharge of those functions by a joint committee of theirs or by an officer of one of them and subsection (2) above shall apply in relation to those functions as it applies in relation to the functions of the individual authorities; and
  - (b) any enactment relating to those functions or the authorities by whom or the areas in respect of which they are to be discharged shall have effect subject to all necessary modifications in its application in relation to those functions and the authorities by whom and the areas in respect of which (whether in pursuance of the arrangements or otherwise) they are to be discharged.
- [<sup>F6</sup>(5A) Arrangements made under subsection (5) above by two or more local authorities with respect to the discharge of any of their functions shall cease to have effect with respect to that function if, or to the extent that, the function becomes the responsibility of an executive of any of the authorities.
- (5B) Subsection (5A) above does not affect arrangements made by virtue of section [<sup>F7</sup>9EB or] 20 of the Local Government Act 2000 (joint exercise of functions).]
- [<sup>F8</sup>(5C) Arrangements under subsection (5) by two or more local authorities with respect to the discharge of any of their functions cease to have effect with respect to that function if, or to the extent that, the function becomes a general function of a mayor for the area of a combined authority [<sup>F9</sup>or combined county authority].

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(5D) Subsection (5C) does not prevent arrangements under subsection (5) being entered into in respect of that function by virtue of—

- <sup>F10</sup>(a) [ section 107E of the Local Democracy, Economic Development and Construction Act 2009 (joint exercise of general functions) <sup>F11</sup>, or
- (b) section 32 of the Levelling-up and Regeneration Act 2023 (joint exercise of general functions).]

(5E) In subsection (5C), “general functions”<sup>F12</sup>—

- (a) in relation to a combined authority, has the meaning given in section 107D(2) of the Local Democracy, Economic Development and Construction Act 2009;
- (b) in relation to a combined county authority, has the meaning given in section 30(2) of the Levelling-up and Regeneration Act 2023.]]

(6) A local authority’s functions with respect to levying, or issuing a precept for, a rate<sup>F13</sup> ... shall be discharged only by the authority.

<sup>F14</sup>(6A) Community Infrastructure Levy under Part 11 of the Planning Act 2008 is not a rate for the purposes of subsection (6).]

<sup>F15</sup>(7) .....

<sup>F16</sup>(7A) .....

(8) Any enactment, except one mentioned in subsection (9) below, which contains any provision—

- (a) which empowers or requires local authorities or any class of local authorities to establish committees (including joint committees) for any purpose or enables a Minister to make an instrument establishing committees of local authorities for any purpose or empowering or requiring a local authority or any class of local authorities to establish committees for any purpose; or
- (b) which empowers or requires local authorities or any class of local authorities to arrange or to join with other authorities in arranging for the exercise by committees so established or by officers of theirs of any of their functions, or provides that any specified functions of theirs shall be discharged by such committees or officers, or enables any Minister to make an instrument conferring such a power, imposing such a requirement or containing such a provision;

shall, to the extent that it makes any such provision, cease to have effect.

(9) The following enactments, that is to say—

- <sup>F17</sup>(a) .....
- <sup>F18</sup>(b) .....
- <sup>F19</sup>(c) .....
- <sup>F20</sup>(d) .....
- <sup>F21</sup>(e) .....
- <sup>F22</sup>(f) .....
- <sup>F23</sup>(g) .....
- <sup>F24</sup>(h) .....

are exempted from subsection (8) above.

(10) This section shall not authorise a local authority to arrange for the discharge by any committee, sub-committee or local authority of any functions which by any enactment

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mentioned in subsection (9) above are required or authorised to be discharged by a specified committee, but the foregoing provision shall not prevent a local authority who are required by or under any such enactment to establish, or delegate functions to, a committee established by or under any such enactment from arranging under this section for the discharge of their functions by an officer of the local authority or committee, as the case may be.

[<sup>F25</sup>(10A) In determining what arrangements to make for the discharge of any functions, a principal council in Wales may act as if paragraph (f) were omitted from subsection (9) above.]

<sup>F26</sup>(11) . . . . .

(12) References in this section and section 102 below to the discharge of any of the functions of a local authority include references to the doing of anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of those functions.

(13) In this Part of this Act “local authority” includes the Common Council, the Sub-Treasurer of the Inner Temple, the Under Treasurer of the Middle Temple, <sup>F27</sup>... [<sup>F28</sup>any joint authority <sup>F29</sup> ..., [<sup>F30</sup>an economic prosperity board, a combined authority,] [<sup>F31</sup>a combined county authority,] [<sup>F32</sup>a sub-national transport body,] <sup>F33</sup> ... <sup>F34</sup> ...,] a joint board on which a local authority within the meaning of this Act or any of the foregoing authorities are represented and, without prejudice to the foregoing, any port health authority.

[<sup>F35</sup>(13A) In this section “local authority” includes the London Fire Commissioner; but nothing in this section authorises functions of the Commissioner to be discharged by a committee or sub-committee of the Commissioner.]

(14) Nothing in this section affects the operation of section 5 of the 1963 Act or the <sup>M1</sup>Local Authorities (Goods and Services) Act 1970.

[<sup>F36</sup>(15) Nothing in this section applies in relation to any function under the Licensing Act 2003 of a licensing authority (within the meaning of that Act).]

#### Textual Amendments

- F1** S. 101(1A)-(1C) inserted (E.) (18.5.2001) by S.I. 2001/1517, art. 3(a) and (W.) (1.4.2002) by S.I. 2002/803, art. 3(a)
- F2** Words in s. 101(1C) inserted (4.5.2012) by Localism Act 2011 (c. 20), s. 240(2), Sch. 3 para. 3(1)(2); S.I. 2012/1008, art. 4(b)
- F3** S. 101(1D)(1E) inserted (28.1.2016 for specified purposes, 28.3.2016 in so far as not already in force) by Cities and Local Government Devolution Act 2016 (c. 1), s. 25(2), Sch. 5 para. 4(a)
- F4** Words in s. 101(1E) substituted (26.12.2023) by Levelling-up and Regeneration Act 2023 (c. 55), s. 255(2)(c), Sch. 4 para. 31(2) (with s. 247)
- F5** S. 101(1F)(1G) inserted (26.12.2023) by Levelling-up and Regeneration Act 2023 (c. 55), s. 255(2)(c), Sch. 4 para. 31(3) (with s. 247)
- F6** S. 101(5A)(5B) inserted (E.) (18.5.2001) by S.I. 2001/1517, art. 3(b) and (W.) (1.4.2002) by S.I. 2002/803, art. 3(b)
- F7** Words in s. 101(5B) inserted (4.5.2012) by Localism Act 2011 (c. 20), s. 240(2), Sch. 3 para. 3(1)(3); S.I. 2012/1008, art. 4(b)
- F8** S. 101(5C)-(5E) inserted (28.1.2016 for specified purposes, 28.3.2016 in so far as not already in force) by Cities and Local Government Devolution Act 2016 (c. 1), s. 25(2), Sch. 5 para. 4(b)

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- F9** Words in s. 101(5C) inserted (26.12.2023) by Levelling-up and Regeneration Act 2023 (c. 55), s. 255(2)(c), **Sch. 4 para. 31(4)** (with s. 247)
- F10** Words in s. 101(5D) renumbered as s. 101(5D)(a) (26.12.2023) by Levelling-up and Regeneration Act 2023 (c. 55), s. 255(2)(c), **Sch. 4 para. 31(5)(a)** (with s. 247)
- F11** S. 101(5D)(b) and word inserted (26.12.2023) by Levelling-up and Regeneration Act 2023 (c. 55), s. 255(2)(c), **Sch. 4 para. 31(5)(b)** (with s. 247)
- F12** S. 101(5E)(a)(b) substituted for words in s. 101(5E) (26.12.2023) by Levelling-up and Regeneration Act 2023 (c. 55), s. 255(2)(c), **Sch. 4 para. 31(6)** (with s. 247)
- F13** Words repealed (subject to savings in S.I. 1990/431, art. 4, **Sch. 1 para. 1(b)**) by Local Government and Housing Act 1989 (c. 42, SIF 81:1), ss. 45(4)(5), 194(4), **Sch. 12 Pt. II**
- F14** S. 101(6A) inserted (6.4.2009) by Planning Act 2008 (c. 29), **ss. 224(1), 241**; S.I. 2009/400, **art. 3(m)**
- F15** S. 101(7) repealed (31.5.2009) by The Legislative Reform (Local Government) (Animal Health Functions) Order 2009 (S.I. 2009/1375), **art. 2(1)(a)**
- F16** S. 101(7A) repealed (31.5.2009) by The Legislative Reform (Local Government) (Animal Health Functions) Order 2009 (S.I. 2009/1375), **art. 2(1)(b)**
- F17** S. 101(9)(a) repealed (1.4.1994) by 1993 c. 35, ss. 307(1)(3), 308(3), Sch. 19 para. 49, **Sch. 21 Pt. II**; S.I. 1994/507, art. 4, **Sch. 2** Appendix (with savings in Sch. 3 Pt. II para. 8(a)(b)(i))
- F18** S. 101(9)(b) repealed by Local Government Act 1985 (c. 51, SIF 81:1), ss. 1, 102, **Sch. 17**
- F19** S. 101(9)(c) repealed (1.4.1995) by 1994 c. 29, s. 93, **Sch. 9 Pt. I**; S.I. 1994/3262, art. 4, **Sch.**
- F20** S. 101(9)(d) repealed (1.4.2010 for W., 1.4.2011 for E.) by Marine and Coastal Access Act 2009 (c. 23), ss. 321, 324(3), **Sch. 22 Pt. 4**; S.I. 2010/630, art. 3(b) (with arts. 8, 12); S.I. 2011/556, art. 2(2)(o) (with art. 2(3))
- F21** S. 101(9)(e) repealed by Health and Social Services and Social Security Adjudications Act 1983 (c. 41, SIF 113:3), s. 30, **Sch. 10 Pt. I**
- F22** S. 101(9)(f) repealed (1.4.2005 for E. and 1.4.2006 for W.) by Children Act 2004 (c. 31), ss. 64, 67, **Sch. 5 Pt. 4**; S.I. 2005/394, **art. 2(2)**; S.I. 2006/885, **art. 2(1)(h)**
- F23** S. 101(9)(g) repealed by Statute Law (Repeals) Act 1986 (c. 12), s. 1(1), **Sch. 1 Pt. VII**
- F24** S. 101(9)(h) repealed (1.4.1997) by 1995 c. 25, s. 120(3), **Sch. 24** (with ss. 7(6), 115, 117); S.I. 1996/2560, art. 2, **Sch.**
- F25** S. 101(10A) inserted (3.4.1995) by 1994 c. 19, s. 66(5), **Sch. 15 para. 26(3)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1995/852, art. 9(1)(2), **Sch. 5**
- F26** S. 101(11) repealed by Local Government Act 1985 (c. 51, SIF 81:1), ss. 1, 102, **Sch. 17**
- F27** Words in s. 101(13) omitted (31.1.2017 for specified purposes, 1.4.2018 in so far as not already in force) by virtue of Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), **Sch. 2 para. 38(2)**; S.I. 2018/227, **reg. 4(c)**
- F28** Words inserted by Local Government Act 1985 (c. 51, SIF 81:1), s. 84(1), **Sch. 14 para. 15**
- F29** Words in s. 101(13) omitted (22.11.2012) by virtue of Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 105**; S.I. 2012/2892, art. 2(i)
- F30** Words in s. 101(13) inserted (17.12.2009) by Local Democracy, Economic Development and Construction Act 2009 (c. 20), ss. 119, 148(6), **Sch. 6 para. 19**; S.I. 2009/3318, **art. 2(c)**
- F31** Words in s. 101(13) inserted (26.12.2023) by Levelling-up and Regeneration Act 2023 (c. 55), s. 255(2)(c), **Sch. 4 para. 31(7)** (with s. 247)
- F32** Words in s. 101(13) inserted (28.1.2016 for specified purposes, 28.3.2016 in so far as not already in force) by Cities and Local Government Devolution Act 2016 (c. 1), s. 25(2), **Sch. 5 para. 4(c)**
- F33** Words in s. 101(13) omitted (26.5.2015) by virtue of Deregulation Act 2015 (c. 20), s. 115(7), **Sch. 13 para. 6(7)(g)**; S.I. 2015/994, art. 6(g)
- F34** Words repealed by Education Reform Act 1988 (c. 40, SIF 41:1), ss. 231(7), 235(6), 237(2), **Sch. 13 Pt. I**
- F35** S. 101(13A) inserted (31.1.2017 for specified purposes, 1.4.2018 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), **Sch. 2 para. 38(3)**; S.I. 2018/227, **reg. 4(c)**
- F36** S. 101(15) inserted (24.11.2005) by Licensing Act 2003 (c. 17), ss. 198, 201, **Sch. 6 para. 58** (with ss. 2(3), 15(2), 195); S.I. 2005/3056, **art. 2(2)**



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### Modifications etc. (not altering text)

- C1** S. 101 extended by [Local Government Act 1974 \(c. 7\), s. 25\(4\)](#)  
Ss. 101-106 extended (19.9.1995) by 1995 c. 25, ss. 63(5), 125(2), [Sch. 7 para. 13\(1\)](#) (with ss. 7(6), 115, 117, [Sch. 8 para. 7](#))
- C2** S. 101 excluded by [Lotteries and Amusements Act 1976 \(c. 32, SIF 12:1\), s. 6\(3\)](#) and by [Local Government and Housing Act 1989 \(c. 42, SIF 81:1, 2\), ss. 4\(5\), 5\(5\)](#) and by [Local Government and Housing Act 1989 \(c. 42, SIF 81:1\), s. 45\(4\)](#)  
S. 101 excluded by [S.I. 1991/445, reg. 5\(4\)](#)  
S. 101 excluded (1.6.1991) by [Environmental Protection Act 1990 \(c. 43, SIF 46:4\), ss. 90\(5\), 164\(3\); S.I. 1991/1042, art. 3](#)  
S. 101 excluded (17.7.1992) by [Town and Country Planning Act 1990 \(c. 8, SIF 123:1\), s. 316\(3\)\(b\)](#) (as inserted by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\), s. 20\(3\)\(b\)](#)); [S.I. 1992/1491, art. 2](#) (with art. 3))  
S. 101 excluded: (17.7.1992) by [S.I. 1992/1492, reg. 10](#); (6.5.1992) by [Local Government Act 1992 \(c. 19\), ss. 5\(4\), 30\(2\)](#); (31.1.1995) by [S.I. 1995/187, art. 11\(3\)](#); (1.3.1995) by [S.I. 1995/493, art. 20\(3\)](#); (8.3.1995) by [S.I. 1995/600, art. 18\(3\)](#); (8.3.1995) by [S.I. 1995/610, art. 17\(2\)](#); (1.8.1995) by [S.I. 1995/1748, reg. 5\(4\)](#); (temp. from 5.5.1997 to 31.3.1998) by [S.I. 1996/1867, art. 22\(3\)](#); (temp. from 5.5.1997 to 31.3.1998) by [S.I. 1996/1876, art. 15\(3\)](#); (1.6.1997) by [S.I. 1997/1160, reg. 15\(2\)](#); (11.9.1998) by [1998 c. 18, ss. 11\(8\)\(9\), 55\(2\)](#); (25.5.1999) by [1999 c. i, ss. 1\(2\), 31](#) (with s. 28)  
S. 101 excluded: (E.) (16.11.2000) by [S.I. 2000/2853, regs. 2\(7\), 4\(8\), 5\(5\)](#); (E.) (26.10.2000) and (W.) (28.7.2001) by [2000 c. 22, ss. 23, 108\(4\), Sch. 1 para. 2\(4\)](#); [S.I. 2000/2849, art. 2\(c\)](#); (E.) (7.8.2000) and (W.) (1.11.2000) by [2000 c. 22, s. 48\(5\)](#); [S.I. 2000/2187, art. 2\(a\)](#); [S.I. 2000/2948, art. 2](#); (E.) (19.12.2000) (W.) (19.12.2000 with application in relation to police authorities in W. and otherwise 28.7.2001) by [2000 c. 22, ss. 51\(9\), 80\(4\), 108\(4\)](#); (E.) (2.4.2001) by [S.I. 2001/1299, reg. 4](#); (E.) (18.5.2001) by [S.I. 2001/1517, art. 8\(3\)](#); (W.) (28.7.2001) by [S.I. 2001/2284, regs. 8\(7\), 10\(8\), 11\(5\)](#) (as amended (10.2.2003 for W.) by [S.I. 2003/155, reg. 2](#)); (W.) (28.7.2001) by [S.I. 2001/2291, regs. 2\(7\), 4\(8\), 5\(5\)](#) (as amended (10.2.2003 for W.) by [S.I. 2003/153, reg. 2](#)); (E.) (7.11.2001) by [S.I. 2001/3384, reg. 5](#)  
S. 101 excluded by [Greenham and Crookham Commons Act 2002 \(c. i\), s. 20\(1\)](#) (with savings in ss. 38, 39) (the amendment coming into force in accordance with s. 1(2)-(4) of the amending Act)  
S. 101 excluded (1.4.2005) by [Public Audit \(Wales\) Act 2004 \(c. 23\), ss. 25\(8\), 73](#); [S.I. 2005/558, art. 2, Sch. 1](#)
- C3** S. 101 restricted by [Local Government Act 1985 \(c. 51, SIF 81:1\), s. 91, Sch. 15 para. 1\(2\)\(a\)](#) and restricted (16.1.1990 to the extent mentioned in [S.I. 1989/2445, art. 4](#), and 1.8.1990 to the extent mentioned in [S.I. 1990/1552, art. 3](#), otherwise prosp.) by [Local Government and Housing Act 1989 \(c. 42, SIF 81:1, 2\) ss. 9\(8\)\(a\)\(10\), 195\(2\)](#)  
S. 101 restricted (22.8.1996) by [1996 c. 16, ss. 15\(2\)\(4\), 104\(1\)](#)
- C4** S. 101 modified by [Water Act 1989 \(c. 15, SIF 130\), ss. 58\(7\), 73\(4\), 101\(1\), 141\(6\), 160\(1\)\(2\)\(4\), 163, 189\(4\)-\(10\), 190, 193\(1\), Sch. 26 paras. 3\(1\)\(2\), 17, 40\(4\), 57\(6\), 58](#)  
S. 101 modified (3.4.1995) by [1994 c. 19, s. 30\(10\)](#) (with ss. 54(5)(7), 55(5), [Sch. 17 paras. 22\(1\), 23\(2\)](#)); [S.I. 1995/852, art. 5](#)  
S. 101 modified (31.10.1997) by [1997 c. 50, s. 55\(8\)\(9\)](#); [S.I. 1997/2390, art. 2\(1\)\(2\)\(m\)](#)  
S. 101 modified (16.7.1998) by [1998 c. 30, ss. 23\(3\)\(a\), 46\(3\)](#)  
S. 101 modified (28.9.2004 for E.) by [Planning and Compulsory Purchase Act 2004 \(c. 5\), ss. 4\(8\), 121](#) (with ss. 111, 119, [Sch. 8](#)); [S.I. 2004/2202, art. 2\(a\)](#)
- C5** S. 101 applied (7.8.1991) by [S.I. 1991/1773, arts. 6, 8, Sch. 1](#)  
S. 101 applied (10.1.1992) by [S.I. 1991/2913, arts. 6, 8, Sch. 1](#)  
Ss. 101-104 applied (22.7.2004) by [The Cotswolds Area of Outstanding Natural Beauty \(Establishment of Conservation Board\) Order 2004 \(S.I. 2004/1777\), art. 17\(1\)](#)  
Ss. 101-104 applied (22.7.2004) by [The Chilterns Area of Outstanding Natural Beauty \(Establishment of Conservation Board\) Order 2004 \(S.I. 2004/1778\), art. 17\(1\)](#)

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- C6** S. 101: certain functions transferred (subject to modifications) (7.8.1991) by S.I. 1991/1773, arts. 6, 8, **Sch. 1**  
S. 101: certain functions transferred (subject to modifications) (10.1.1992) by S.I. 1991/2913, arts. 6, 8, **Sch. 1**  
S. 101: certain functions transferred (temp. from 4.5.1995 to 31.3.1996) by S.I. 1995/1042, **art. 3(3)**
- C7** Ss. 101-106 applied (with modifications) (20.11.1996) by: S.I. 1996/2912, art. 2, **Sch. para. 20(1)**; S.I. 1996/2916, art. 2, **Sch. para. 20(1)**; S.I. 1996/2917, art. 2, **Sch. para. 20(1)**; S.I. 1996/2918, art. 2, **Sch. para. 20(1)**; S.I. 1996/2919, art. 2, **Sch. para. 20(1)**; S.I. 1996/2920, art. 2, **Sch. para. 20(1)**; S.I. 1996/2921, art. 2, **Sch. para. 20(1)**; S.I. 1996/2922, art. 2, **Sch. para. 20(1)**; S.I. 1996/2923, art. 2, **Sch. para. 20(1)**; S.I. 1996/2924, art. 2, **Sch. para. 20(1)**  
Ss. 101-106 applied (with modifications) (11.12.1995) by: S.I. 1995/3218, art. 2, **Sch. para. 20(1)**; S.I. 1995/3229, art. 2, **Sch. para. 20(1)**; S.I. 1995/3230, art. 2, **Sch. para. 20(1)**  
Ss. 101-106 applied (with modifications) (5.12.1995) by: S.I. 1995/3127, art. 2, **Sch. para. 20(1)**; S.I. 1995/3132, art. 2, **Sch. para. 20(1)**; S.I. 1995/3133, art. 2, **Sch. para. 20(1)**
- C8** S. 101: power to disapply conferred (E.) (7.8.2000 for specified purposes otherwise 26.10.2000) and (W.) (1.11.2000) by 2000 c. 22, s. **13(12)**; S.I. 2000/2187, **art. 2(b)**; S.I. 2000/2849, **art. 2(b)**; S.I. 2000/2948, **art. 2**
- C9** S. 101 extended (1.9.2003) by Education Act 2002 (c. 32), **ss. 183(4)(c)**, 216 (with ss. 210(8), 214(4)); S.I. 2003/1667, **art. 4**; S.I. 2003/1718, **art. 5**, Sch. Pt. II
- C10** S. 101 excluded (3.7.2006 for W.) by The Local Authorities (Standing Orders) (Wales) Regulations 2006 (S.I. 2006/1275), **reg. 7**
- C11** S. 101 applied (with modifications) (20.11.2006) by The Devon and Somerset Fire and Rescue Authority (Combination Scheme) Order 2006 (S.I. 2006/2790), art. 2, **Sch. para. 15**
- C12** S. 101 excluded (W.) (16.2.2007) by The Local Authorities (Alternative Arrangements) (Wales) Regulations 2007 (S.I. 2007/397), **reg. 10(7)**  
S. 101 excluded (W.) (16.2.2007) by The Local Authorities (Alternative Arrangements) (Wales) Regulations 2007 (S.I. 2007/397), **reg. 12(8)**  
S. 101 excluded (W.) (16.2.2007) by The Local Authorities (Alternative Arrangements) (Wales) Regulations 2007 (S.I. 2007/397), **reg. 13(5)**
- C13** S. 101 excluded (W.) (16.2.2007) by The Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) Regulations 2007 (S.I. 2007/399), **reg. 3(7)**  
S. 101 excluded (W.) (16.2.2007) by The Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) Regulations 2007 (S.I. 2007/399), **reg. 5(8)**  
S. 101 excluded (W.) (16.2.2007) by The Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) Regulations 2007 (S.I. 2007/399), **reg. 6(5)**
- C14** Ss. 101-106 applied (with modifications) (E.) (24.3.2011) by The Hull and Goole Port Health Authority Order 2011 (S.I. 2011/939), arts. 1(1), 7, **Sch. 1**
- C15** S. 101 applied (with modifications) (1.4.2011) by The Greater Manchester Combined Authority Order 2011 (S.I. 2011/908), arts. 1, **9(3)**
- C16** S. 101 applied (with modifications) (1.4.2011) by The Greater Manchester Combined Authority Order 2011 (S.I. 2011/908), arts. 1, **8(1)(7)**
- C17** S. 101 excluded by 2000 c. 22, s. 9R(6) (as inserted (3.12.2011 for specified purposes, 15.1.2012 for specified purposes, 4.5.2012 in so far as not already in force) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 2 para. 1**; S.I. 2011/2896, art. 2(e); S.I. 2012/57, art. 4(1)(b) (with arts. 6, 7, 9-11); S.I. 2012/1008, art. 4(b))
- C18** S. 101: power to exclude conferred by 2000 c. 22, s. 9J(2)(b) (as inserted (3.12.2011 for specified purposes, 4.5.2012 in so far as not already in force) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 2 para. 1**; S.I. 2011/2896, art. 2(e); S.I. 2012/1008, art. 4(b))
- C19** S. 101 excluded by 2000 c. 22, s. 9C(6) (as inserted (3.12.2011 for specified purposes, 15.1.2012 for specified purposes, 4.5.2012 in so far as not already in force) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 2 para. 1**; S.I. 2011/2896, art. 2(e); S.I. 2012/57, art. 4(1)(b) (with arts. 6, 7, 9-11); S.I. 2012/1008, art. 4(b))

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- C20** S. 101 excluded (15.1.2012 for E., 31.1.2012 for W.) by Localism Act 2011 (c. 20), ss., **42(2)**, 240(3) (a); S.I. 2012/193, art. 2(a)
- C21** S. 101 excluded (4.5.2012) by The Local Authorities (Committee System) (England) Regulations 2012 (S.I. 2012/1020), regs. 1, **3(9)** (with reg. 3(10))
- C22** S. 101 excluded (4.5.2012) by The Local Authorities (Committee System) (England) Regulations 2012 (S.I. 2012/1020), regs. 1, **3(1)-(8)**
- C23** S. 101 excluded (7.6.2012 for specified purposes, 1.7.2012 in so far as not already in force) by Localism Act 2011 (c. 20), ss. **28(14)**, 240(2); S.I. 2012/1463, arts. 2(b), 5(c) (with arts. 6, 7)
- C24** S. 101 excluded (W.) (with effect in accordance with reg. 1(3) of the amending S.I.) by The Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2012 (S.I. 2012/3144), regs. 1(2), **12(3)**
- C25** S. 101 applied (with modifications) (1.4.2013) by The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 (S.I. 2013/218), regs. 1(2), **3**
- C26** S. 101 excluded (1.4.2013) by The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 (S.I. 2013/218), regs. 1(2), **29(1)**
- C27** S. 101 excluded (with application in accordance with reg. 1(3) of the amending S.I.) by The Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013 (S.I. 2013/3029), regs. 1(2), **12(3)**
- C28** S. 101 modified (1.4.2014) by The Barnsley, Doncaster, Rotherham and Sheffield Combined Authority Order 2014 (S.I. 2014/863), arts. 1, **8(3)**
- C29** S. 101 modified (1.4.2014) by The Halton, Knowsley, Liverpool, St Helens, Sefton and Wirral Combined Authority Order 2014 (S.I. 2014/865), arts. 1, **10(2)** (with arts. 8(4), 12)
- C30** S. 101 applied (with modifications) (15.4.2014) by The Durham, Gateshead, Newcastle Upon Tyne, North Tyneside, Northumberland, South Tyneside and Sunderland Combined Authority Order 2014 (S.I. 2014/1012), arts. 1, **10(3)**
- C31** S. 101 excluded by S.I. 2006/1275, reg. 7 (as substituted (W.) (1.7.2014) by The Local Authorities (Standing Orders) (Wales) (Amendment) Regulations 2014 (S.I. 2014/1514), regs. 1(2), **6** (with reg. 12))
- C32** Ss. 101-103 applied (with modifications) (1.4.2015) by The Dorset and Wiltshire Fire and Rescue Authority (Combination Scheme) Order 2015 (S.I. 2015/435), art. 1(2), **Sch. para. 17**
- C33** S. 101 excluded (1.4.2015) by The Local Audit (Auditor Resignation and Removal) Regulations 2014 (S.I. 2014/1710), regs. 1(1), **5(3)**
- C34** S. 101 excluded (1.4.2015) by Local Audit and Accountability Act 2014 (c. 2), ss. **15(5)**, 49(1); S.I. 2015/841, art. 3(l)
- C35** S. 101 excluded (1.4.2015) by Local Audit and Accountability Act 2014 (c. 2), s. 49(1), **Sch. 7 para. 7(2)**; S.I. 2015/841, art. 3(p) (with Sch. para. 1) (as amended (27.6.2016) by S.I. 2016/675, art. 2)
- C36** S. 101 excluded (1.4.2015) by Local Audit and Accountability Act 2014 (c. 2), s. 49(1), **Sch. 3 para. 1(2)**; S.I. 2015/841, art. 3(f)
- C37** S. 101 excluded (1.4.2015) by The Local Audit (Auditor Panel) Regulations 2014 (S.I. 2014/3224), regs. 1(1), **2(4)** (with reg. 1(3))
- C38** Ss. 101, 102 modified by 1990 c. 8, s. 319ZC (as inserted (6.9.2015 for specified purposes, 5.5.2017 in so far as not already in force) by Planning (Wales) Act 2015 (anaw 4), ss. **39(1)**, 58(2)(b)(4)(b); S.I. 2017/546, art. 3(a))
- C39** S. 101 excluded (26.11.2015) by Local Government (Wales) Act 2015 (anaw 6), ss. **3(2)**, 46(2)
- C40** S. 101 excluded (1.4.2016) by Well-being of Future Generations (Wales) Act 2015 (anaw 2), ss. **43(5)**, 56(2); S.I. 2016/86, art. 3
- C41** Ss. 101-102 applied (with modifications) (E.) (31.3.2017) by The Weymouth Port Health Authority Order 2017 (S.I. 2017/558), arts. 1(1), 8, **Sch. 1**
- C42** Ss. 101-103 applied (with modifications) (1.4.2020) by The Hampshire and Isle of Wight Fire and Rescue Authority (Combination Scheme) Order 2020 (S.I. 2020/186), art. 1(2), **Sch. para. 17**
- C43** S. 101 excluded (W.) (21.1.2021) by Local Government and Elections (Wales) Act 2021 (asc 1), ss. **121(2)**, 175(1)(f)(2)



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- C44 S. 101 excluded (W.) (21.1.2021) by Local Government and Elections (Wales) Act 2021 (asc 1), **ss. 87(1)(4), 175(1)(e)**
- C45 S. 101 excluded (W.) (1.4.2021) by Local Government and Elections (Wales) Act 2021 (asc 1), **ss. 108(2), 175(7)**; S.I. 2021/297, reg. 2(b)
- C46 S. 101 excluded (W.) (1.4.2021) by Local Government and Elections (Wales) Act 2021 (asc 1), **ss. 130(4), 175(7)**; S.I. 2021/297, reg. 2(d)
- C47 S. 101 excluded (W.) (1.4.2022) by Local Government and Elections (Wales) Act 2021 (asc 1), **ss. 52(3), 175(7)**; S.I. 2021/231, **art. 5**
- C48 S. 101 excluded (W.) (5.5.2022) by Local Government and Elections (Wales) Act 2021 (asc 1), **ss. 54(5), 175(7)**; S.I. 2021/231, art. 6(h)
- C49 S. 101 excluded (5.5.2022) by 2000 c. 22, **s. 56B** (as inserted (W.) by Local Government and Elections (Wales) Act 2021 (asc 1), **ss. 63(1), 175(7)**; S.I. 2021/231, **art. 6(m)**)
- C50 S. 101 excluded (5.5.2022) by 2011 nawm 4, **s. 143A(5C)(c)** (as inserted (W.) by Local Government and Elections (Wales) Act 2021 (asc 1), **ss. 56, 175(7)**; S.I. 2021/231, **art. 6(i)**)
- C51 S. 101 excluded (5.5.2022) by 2000 c. 22, **Sch. 1 para. 3A(7)** (as inserted (W.) by Local Government and Elections (Wales) Act 2021 (asc 1), **ss. 57(2), 175(7)**; S.I. 2021/231, **art. 6(j)**)
- C52 S. 101 excluded (W.) (5.5.2022) by Local Government and Elections (Wales) Act 2021 (asc 1), **ss. 67(6), 175(7)**; S.I. 2021/231, art. 6(o)
- C53 S. 101(1) excluded (E.) (7.8.2000 for specified purposes otherwise 26.10.2000) (W.) (28.7.2001) by 2000 c. 22, **ss. 13(10)(b), 108(4)**; S.I. 2000/2187, **art. 2(b)**; S.I. 2000/2849, **art. 2(b)**
- C54 S. 101(1) excluded by 2000 c. 22, s. 9DA(3)(6) (as inserted (3.12.2011 for specified purposes, 4.5.2012 in so far as not already in force) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 2 para. 1**; S.I. 2011/2896, art. 2(e); S.I. 2012/1008, art. 4(b))
- C55 S. 101(1)(a) amended by S.I. 1989/1815, art. 2, **Sch. 1 para. 5(a)**
- C56 S. 101(1)(a) excluded (1.4.2013) by The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 (S.I. 2013/218), regs. 1(2), **29(2)(a)**
- C57 S. 101(1)(b) excluded by Local Government Finance Act 1988 (c. 41, SIF 81:1), **s. 89(3)**  
S. 101(1)(b) excluded (3.4.1995) by 1994 c. 19, **s. 38(5)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1995/852, **arts. 6, 9(2)**
- C58 S. 101(1)(b)(5) modified (W.) (1.4.2010) by Local Government (Wales) Measure 2009 (nawm 2), ss. 10(1), 53(2); S.I. 2009/3272, **art. 3, Sch. 2**
- C59 S. 101(2) extended by Health Services Joint Consultative Committees (Access to Information) Act 1986 (c. 24, SIF 113:2), **s. 2(3)**
- C60 S. 101(2)-(4) power to apply or reproduce (with or without modifications) (E.) (7.8.2000) and (W.) (1.11.2000) by 2000 c. 22, **s. 19(5)**; S.I. 2000/2187, **art. 2(a)**; S.I. 2000/2948, **art. 2**
- C61 S. 101(2) modified 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), 15(7), 17, 40(4), 57(6), **58**
- C62 S. 101(2)-(4) power to apply (with modifications) conferred by 2000 c. 22, s. 9EA(4)(b)(5) (as inserted (3.12.2011 for specified purposes, 4.5.2012 in so far as not already in force) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 2 para. 1**; S.I. 2011/2896, art. 2(e); S.I. 2012/1008, art. 4(b))
- C63 S. 101(2) applied (15.1.2012) by Localism Act 2011 (c. 20), **ss. 203(2)(b), 240(1)(l)**
- C64 S. 101(2) applied (with modifications) (22.11.2012) by The Police and Crime Panels (Application of Local Authority Enactments) Regulations 2012 (S.I. 2012/2734), regs. 1(1), 3-6, **Sch. Pt. 1**
- C65 S. 101(2) applied (with modifications) (22.11.2012) by The Police and Crime Panels (Application of Local Authority Enactments) Regulations 2012 (S.I. 2012/2734), regs. 1(1), 7
- C66 S. 101(2) applied (with modifications) (22.11.2012) by The Police and Crime Panels (Application of Local Authority Enactments) Regulations 2012 (S.I. 2012/2734), regs. 1(1), 3-6, **Sch. Pt. 3**
- C67 S. 101(2) applied (with modifications) (22.11.2012) by The Police and Crime Panels (Application of Local Authority Enactments) Regulations 2012 (S.I. 2012/2734), regs. 1(1), 3-6, **Sch. Pt. 2**
- C68 S. 101(3)(4) applied (8.5.2000) by 1999 c. 29, **s. 38(8)** (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2(2)(b), **Sch. Pt. 2**  
S. 101(3)(4) applied (8.5.2000) by 1999 c. 29, **s. 380(10)** (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2(2)(b), **Sch. Pt. 2**

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- C69** S. 101(4) excluded (3.4.1995) by 1994 c. 19, s. **29(1)(b)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1995/852, art. **5**, 9(2)
- C70** S. 101(5): power to direct conferred (1.2.1996) by 1995 c. 25, s. 90, **Sch. 11 para. 3(1)** (with ss. 7(6), 115, 117); S.I. 1996/186, art. **2**  
S. 101(5): power to restrict conferred (1.2.1996) by 1995 c. 25, s. 90, **Sch. 11 para. 3(2)** (with ss. 7(6), 115, 117); S.I. 1996/186, art. **2**
- C71** S. 101(5) modified (8.5.2000) by 1999 c. 29, s. 154(4), **Sch. 10 para. 9(1)(a)** (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2(2)(b), **Sch. Pt. 2**  
S. 101(5) modified (8.5.2000) by 1999 c. 29, s. **39(1)(2)(4)** (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2(2)(b), **Sch. Pt. 2**  
S. 101(5) modified (3.7.2000) by 1984 c. 27, s. **55(8)** (as added (3.7.2000) by 1999 c. 29, s. 282(5) (with **Sch. 12 para. 9(1)**)); S.I. 2000/801, art. 2(2)(c), **Sch. Pt. 3**  
S. 101(5) modified (3.7.2000) by 1991 c. 40, s. **73(1A)** (as substituted (3.7.2000) by 1999 c. 29, s. 283(2), 425(2) (with **Sch. 12 para. 9(1)**)); S.I. 2000/801, art. 2(2)(c), **Sch. Pt. 3**
- C72** S. 101(5) restricted (E.) (7.8.2000 for specified purposes, otherwise 26.10.2000) and (W.) (28.7.2001) by 2000 c. 22, ss. **13(10)(c)**, 108(4); S.I. 2000/2187, art. **2(b)**;  
S. 101(5) restricted (W.) (1.4.2002) by 1989 c. 42, S. 9(8A)(b) (as inserted (1.4.2002) by S.I. 2002/808, art. **23(b)**)
- C73** S. 101(5) excluded (1.4.2013) by The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 (S.I. 2013/218), regs. 1(2), **29(2)(b)**
- C74** S. 101(5): functions exercisable jointly (18.3.2022) by The North Yorkshire (Structural Changes) Order 2022 (S.I. 2022/328), arts. 1(1), **8(6)**
- C75** S. 101(5) applied (20.12.2023) by The York and North Yorkshire Combined Authority Order 2023 (S.I. 2023/1432), arts. 1(2), **28(1)**
- C76** S. 101(6) amended by Norfolk and Suffolk Broads Act 1988 (c. 4, SIF 81:1), ss. **14(14)**, 23(2), 27(2)  
S. 101(6) applied (with modifications) (20.11.1996) by S.I. 1996/2912, art. 2, **Sch. para. 20(2)**; S.I. 1996/2916, art. 2, **Sch. para. 20(2)**; S.I. 1996/2917, art. 2, **Sch. para. 20(2)**; S.I. 1996/2918, art. 2, **Sch. para. 20(2)**; S.I. 1996/2919, art. 2, **Sch. para. 20(2)**; S.I. 1996/2920, art. 2, **Sch. para. 20(2)**; S.I. 1996/2921, art. 2, **Sch. para. 20(2)**; S.I. 1996/2922, art. 2, **Sch. para. 20(2)**; S.I. 1996/2923, art. 2, **Sch. para. 20(2)**; S.I. 1996/2924, art. 2, **Sch. para. 20(2)**  
S. 101(6) applied (with modifications) (11.12.1995) by S.I. 1995/3218, art. 2, **Sch. para. 20(2)**; S.I. 1995/3229, art. 2, **Sch. para. 20(2)**; S.I. 1995/3230, art. 2, **Sch. para. 20(2)**  
S. 101(6) applied (with modifications) (5.12.1995) by S.I. 1995/3127, art. 2, **Sch. para. 20(2)**; S.I. 1995/3132, art. 2, **Sch. para. 20(2)**; S.I. 1995/3133, art. 2, **Sch. para. 20(2)**
- C77** S. 101(13) amended by S.I. 1985/1884, art. 10, **Sch. 3 para. 1(i)**
- C78** S. 101(13) modified by S.I. 1987/2110, art. 2(2), **Sch. 1 para. 3(i)**
- C79** S. 101(13) excluded (1.4.2013) by The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 (S.I. 2013/218), regs. 1(2), **29(2)(c)**

### Marginal Citations

**M1** 1970 c. 39.

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**Changes and effects yet to be applied to :**

- s. 101 applied (with modifications) by [S.I. 2024/402 art. 18\(3\)](#)
- s. 101(2) applied by 1981 c. 64, s. 7B (as inserted) by [2023 c. 55 s. 175\(2\)](#)

**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](#)