



Local Government (Miscellaneous Provisions) Act 1976

1976 CHAPTER 57

PART I

GENERAL

Miscellaneous

39 Protection of members and officers etc. of local authorities from personal liability.

- (1) Section 265 of the ^{M1}Public Health Act 1875 (which relates to the protection from personal liability of members and officers of certain authorities) shall have effect ^{F1} . . . as if any reference to those authorities and the first reference to that Act included respectively a reference to a local authority and to any other public general Act and any local Act and as if the reference to the general purposes of that Act included a reference to the purposes of the other public general Act or the local Act in question.
- (2) A person who is appointed as a member of a committee of a local authority or a joint committee of two or more local authorities by virtue of subsection (3) or (4) of section 102 of the ^{M2}Local Government Act 1972 (which authorises among other things the appointment to such a committee of a person who is not a member of a relevant authority) shall, if he is not a member of the authority which appointed him, be treated as such a member for the purposes of the said section 265 as modified by the preceding subsection.

Textual Amendments

F1 Words repealed by [Local Government Finance Act 1982 \(c. 32, SIF 81:1, 2\)](#), s. 38(5), [Sch. 6 Pt. IV](#)

Modifications etc. (not altering text)

C1 [S. 39](#) applied (with modifications) (8.1.1996) by [1995 c. x, ss. 1\(3\), 44](#), [Sch. Pt. I](#)

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- C2** Power to apply s. 39 conferred (1.9.1997) by 1997 c. 50, s. 44(1), **Sch. 4** para. (c)(iv); S.I. 1997/1930, **art. 2(2)(m)**
- C3** S. 39 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**
- C4** S. 39 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**
- C5** S. 39 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**

Marginal Citations

- M1** 1875 c. 55.
- M2** 1972 c. 70.

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

- Act applied (with modifications) by [S.I. 2024/414 art. 5Sch. 1 para. 4](#)