

## SCHEDULES

### SCHEDULE 7

Section 206.

#### TRANSITIONAL AND SAVING PROVISIONS, AND INTERPRETATION OF OTHER ACTS

##### PART I

##### TRANSITIONAL AND SAVING PROVISIONS

###### *General*

- 1 Where a period of time specified in an enactment repealed by this Act is current at its commencement, this Act has effect as if the provision corresponding to that enactment had been in force when that period began to run.
- 2 The imposition or subsistence of an incapacity is not affected by the repeal by this Act of any enactment, and any such incapacity shall for the purposes of this Act be treated as having been imposed under the corresponding provision of this Act.

###### *Electoral Law Act (Northern Ireland) 1962*

- 3 Notwithstanding the repeal by this Act of section 1(3) of the Representation of the People Act 1977, the amendments by that section 1(3) of the Electoral Law Act (Northern Ireland) 1962 continue to have the same effect as they had immediately before the coming into force of this Act.

###### *Licensing Act 1964*

- 4 Notwithstanding the repeal by this Act of section 24(2) of the Representation of the People Act 1969, the amendments by that section 24(2) of the Licensing Act 1964 continue to have the same effect as they had immediately before the coming into force of this Act.

###### *Northern Ireland Constitution Act 1973*

- 5 So far as sections 8(4) and 26 of this Act reproduce any provision derived from the exercise of the power under section 38 of the Northern Ireland Constitution Act 1973 to make an Order in Council that provision has effect as if it were contained in an Order in Council so made.

###### *Variation of limits of candidates' election expenses*

- 6 Notwithstanding the revocation by this Act of the Representation of the People (Variation of Limits of Candidates' Election Expenses) Order 1981 and the Representation of the People (Variation of Limits of Candidates' Election Expenses) Order 1982, on the commencement of this Act the coming into operation of those

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orders shall for the purposes of sections 76(3) and 197(3) of this Act be taken (as the case may be) as the last occasion on which the maximum amount of the candidates' expenses was varied by order.

*Section 254 of the Local Government Act 1972*

- 7 Any power exercisable under section 254 of the Local Government Act 1972 (consequential and supplementary provision) in relation to a provision of that Act repealed and re-enacted by this Act is exercisable in relation to that provision as so re-enacted to the extent that it would have been exercisable immediately before such repeal.

*Criminal Justice Act 1982*

- 8 In the Table below—
- (a) the first column sets out certain provisions of this Act which specify a fine on summary conviction,
  - (b) the second column sets out in relation to each corresponding provision in the first column the maximum amount of that fine, and (notwithstanding anything in that provision to the contrary) that maximum amount shall continue to have effect as to any such fine until replaced as mentioned in paragraph (c) below,
  - (c) the third column sets out in relation to each corresponding provision in the first column the level on the standard scale which shall replace that maximum amount in relation to any such fine by virtue of an order made under section 80 (commencement) of the Criminal Justice Act 1982 bringing the relevant provisions of that Act into force,

but nothing in paragraphs (b) and (c) above affects the punishment for an offence committed before the replacement mentioned in those paragraphs.

This paragraph does not apply in Northern Ireland.

TABLE

Provision of this Act	Maximum amount of fine	Level on standard scale
Section 62(1)	£500	4
Section 63(1)	£100	3
Section 64(1)	£100	3
Section 65(4)	£50	2
Section 97(3)	£25	1
Section 99(2)	£200	4
Section 100(2)	£100	3
Section 110(3)	£100	3
Section 169	£100	3
Section 175(1)	£100	3

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Provision of this Act	Maximum amount of fine	Level on standard scale
Section 190	£50	2
Schedule 2, paragraph 13(1)	£100	3
Schedule 4, paragraph 2	£50	3

*Mental Health (Amendment) Act 1982*

- 9 Notwithstanding the repeal by this Act of section 4(3) of the Representation of the People Act 1949, that subsection shall continue to have effect instead of section 7 of this Act until the coming into force (on 1st April 1983) of section 62 of and Schedule 2 (electoral registration and voting in case of voluntary mental patients) to the Mental Health (Amendment) Act 1982; and the following provisions of this Act shall not have effect until that coming into force—
- (a) sections 5(3) and 7 ;
  - (b) section 19(1) and (4), 32(1), 33(2) and 62(1) to the extent that they provide for or refer to a patient's declaration under section 7 ;
  - (c) paragraph 27 of Schedule 8 ; and
  - (d) Part II of Schedule 9 to the extent that it repeals certain provisions of the Mental Health (Amendment) Act 1982.

**PART II**

INTERPRETATION OF OTHER ACTS

*Register, electors, etc.*

- 10 (1) A reference in any Act (whenever passed) to—
- (a) the register of parliamentary and local government electors, or
  - (b) the register of parliamentary electors, or
  - (c) the register of local government electors, or
  - (d) the electors lists for such a register,
- shall be taken as a reference to—
- (i) the register kept under this Act, or
  - (ii) that register so far as it relates to parliamentary electors, or
  - (iii) that register so far as it relates to local government electors, or
  - (iv) the electors lists for such a register,
- as the case may be, and references in any Act to a parliamentary or local government elector shall be construed accordingly.
- (2) In relation to a person shown in a register or electors list as attaining voting age on a specified date the references in sub-paragraph (1) above do not apply except for the purposes of an election at which the day fixed for the poll falls on or after that date.

*Registration and returning officers*

- 11 A reference in any Act (whenever passed) to—

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- (a) the registration officer for the registration of parliamentary or local government electors, or
  - (b) the returning officer for a parliamentary election or constituency,
- shall be taken respectively as a reference to the registration officer or returning officer appointed under this Act.

*Registration expenses*

- 12 A reference in any Act (whenever passed) to registration expenses in connection with the registration of parliamentary or local government electors shall be taken as a reference to registration expenses under this Act.

*Supplemental*

- 13 (1) Subject to this paragraph, the provisions of paragraphs 10 to 12 of this Schedule apply to a reference—
- (a) to any of the matters mentioned in those provisions, whatever the terms used in that reference ; and
  - (b) to any other matter which was to be construed as a reference to any of those matters by virtue of an enactment repealed by the Representation of the People Act 1948.
- (2) Those provisions so far as they relate to this Act or any other Act passed after that Act of 1948 do not apply where the context otherwise requires.
- (3) Those provisions so far as they relate to Acts passed before that Act of 1948 may be excluded in whole or in part by an order of the Secretary of State in any particular case where they appear to him to be inappropriate.
- (4) That order may make such change in the law which this Act reproduces from the Representation of the People Act 1949 as might have been made before its commencement under paragraph 8(1)(c) of Part I of Schedule 10 to that Act of 1948.
- (5) The provisions of paragraphs 10 to 12 may be supplemented by an order made by the Secretary of State in relation to an Act passed previous to the Representation of the People Act 1948—
- (a) where, in any particular case, such an order appears to him necessary for harmonising the previous Act with the provisions of this Act; and
  - (b) to the extent that the provisions of this Act re-enact such provisions of the Representation of the People Act 1949 as re-enacted provisions of that Act of 1948.
- (6) A power conferred by this paragraph to make an order shall be exercisable by statutory instrument, and any such instrument shall be subject to annulment by resolution of either House of Parliament.
- (7) Nothing in paragraphs 10 to 12 shall be taken to prejudice the operation in relation to this Act of any provision of the Interpretation Act 1978 as to repeals.