
Changes to legislation: There are currently no known outstanding effects for the Local Government Act 1985, Cross Heading: Application of local government provisions. (See end of Document for details)

SCHEDULES

SCHEDULE 13

RESIDUARY BODIES

Application of local government provisions

- 12 A residuary body shall be treated as a local authority or, as the case may be, as a principal council for the purposes of the following provisions of the principal Act—
- (a) section 111 (subsidiary powers);
 - (b) sections 112 to 115 and 117 to 119 (staff);
 - (c) section 128(2) (protection of purchasers);
 - (d) sections 140, 140A and 140C (insurance of members etc.);
 - (e) section 146 (transfer of securities);
 - (f) section 223 (appearance in legal proceedings);
 - (g) sections 224, 225 and 229 to 233 (documents); and
 - (h) section 239 so far as it relates to opposing a local or personal Bill in Parliament and without the procedural requirements in subsection (2).

.....

Modifications etc. (not altering text)

C1 Sch. 13 para. 12 amended by S.I. 1989/1815, art. 2, Sch. 1 para. 2(g)

- 13 A residuary body shall be treated as a local authority for the purposes of—
- (a) the ^{M1}Landlord and Tenant Act 1954;
 - (b) the ^{M2}Local Government (Records) Act 1962;
 - ^{F1}(c)
 - (d) [^{F2}section 252 of the Town and Country Planning Act 1990];
 - (e) section 13(7)(f) of the ^{M3}Employment Agencies Act 1973;
 - (f) section 28 of the ^{M4}Health and Safety at Work etc. Act 1974;
 - (g) sections 30, 38 and 41 of the ^{M5}Local Government (Miscellaneous Provisions) Act 1976;
 - ^{F3}(h)
 - ^{F4}(i)
 - (j) section 41 of the ^{M6}Local Government (Miscellaneous Provisions) Act 1982;
 - (k) paragraph 7 of Schedule 1 to the ^{M7}Stock Transfer Act 1982; and
 - (l) section 60 of the ^{M8}County Courts Act 1984.

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Textual Amendments

- F1** Sch. 13 para. 13(c) repealed (26.3.2001) by S.I. 2001/1149, arts. 1(2), 3(2), **Sch. 2** (with art. 4(11))
- F2** Words substituted by **Planning (Consequential Provisions) Act 1990** (c.11, SIF 123:1, 2), s. 4, **Sch. 2 para. 69(2)(a)**
- F3** Sch. 13 para. 13(h) repealed (2.4.2001) by 2000 c. 34, s. 9(2), **Sch. 3** (with s. 10(5)); S.I. 2001/566, **art. 2(1)**
- F4** Sch. 13 para. 13(i) repealed (1.4.2005) by **Courts Act 2003** (c. 39), s. 110(1), Sch. 8 para. 292, **Sch. 10**; S.I. 2005/910, art. 3(y)

Modifications etc. (not altering text)

- C2** Sch. 13 para. 13(g)(h)(i) amended by S.I. 1989/1815, art. 2, **Sch. 1 para. 2(g)**

Marginal Citations

- M1** 1954 c. 56.
M2 1962 c. 56.
M3 1973 c. 35.
M4 1974 c. 37.
M5 1976 c. 57.
M6 1982 c. 30.
M7 1982 c. 41.
M8 1984 c. 28.

- 14 A residuary body shall be included among the authorities or bodies to which the following enactments apply—
- (a) section 11 of the ^{M9}Trustee Investments Act 1961;
- [^{F5}(aa) paragraph 2 of Schedule 4A to the Leasehold Reform Act 1967;]
- (b) section 3(1) of the ^{M10}Employer’s Liability (Compulsory Insurance) Act 1969; [^{F6}and]
- (c) section 5(2) of the ^{M11}Rent (Agriculture) Act 1976; . . . ^{F7}
- (d) ^{F7}

Textual Amendments

- F5** Sch. 13 para. 14(aa) inserted by **Housing and Planning Act 1986** (c.63, SIF 81:1), s. 18, **Sch. 4 para. 9(2)**
- F6** Word inserted by **Housing and Planning Act 1986** (c.63, SIF 81:1), s. 18, **Sch. 4 para. 9(2)**
- F7** Sch. 13 para. 14(d) repealed by **Housing and Planning Act 1986** (c.63, SIF 81:1), ss. 18, 24(3), 39(4), 49(2), 53(2), Sch. 4 para. 9(2), **Sch. 12 Pt. I**

Modifications etc. (not altering text)

- C3** Sch. 13 para. 14(a) amended by S.I. 1989/1815, art. 2, **Sch. 1 para. 2(g)**
- C4** Sch. 13 para. 14(b) amended by S.I. 1989/1815, art. 2, **Sch. 1 para. 2(g)**

Marginal Citations

- M9** 1961 c. 62.
M10 1969 c. 57.
M11 1976 c. 80.

- 15 A residuary body shall be included among the bodies specified in section 99(4) of and Schedule 16 to the ^{M12}Local Government Planning and Land Act 1980.

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Marginal Citations

M12 1980 c. 65.

- 16 The London Residuary Body shall be included among the authorities to which section 5(3) of the ^{M12}London Government Act 1963 applies.

Modifications etc. (not altering text)

C5 Sch. 13 para. 16 amended by S.I. 1989/1815, art. 2, Sch. 1 para. 2(g)

Marginal Citations

M13 1963 c. 33.

- 17 A residuary body shall be included in the local authorities mentioned in section 28(5)(a) of the ^{M13}Leasehold Reform Act 1967 and sections 29(5) and 38(1) of that Act shall be construed accordingly.

Marginal Citations

M14 1967 c. 88.

- 18 Without prejudice to paragraph 8 above, a residuary body shall be treated as a local authority for the purposes of the ^{M14}Local Authorities (Goods and Services) Act 1970 and, for the purposes of that Act as it applies in relation to a residuary body, the Secretary of State shall be treated as a public body.

Marginal Citations

M15 1970 c. 39.

- 19 A residuary body shall be included among the councils mentioned in [^{F8}paragraph 1(3) of Schedule 14 to the Town and Country Planning Act 1990].

Textual Amendments

F8 Words substituted by Planning (Consequential Provisions) Act 1990 (c.11, SIF 123:1, 2), s. 4, Sch. 2 para. 69(2)(b)

- 20 A residuary body shall be included among the bodies specified in [^{F9}section 144(2)(a) of the Road Traffic Act 1988].

Textual Amendments

F9 Words substituted by Road Traffic (Consequential Provisions) Act 1988 (c.54, SIF 107:1), s. 4, Sch. 3 para. 30

- 21 A residuary body shall be included among the bodies to which section 14 of the ^{M15}Rent Act 1977 applies . . . ^{F10}

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Textual Amendments

- F10** Words repealed by [Housing Act 1988 \(c.50, SIF 61\)](#), s. 140(2), **Sch. 18** (the repeal being subject to a saving in [S.I. 1988/2152](#), **Sch. 2 para. 6**)

Marginal Citations

- M16** [1977 c. 42](#).

- [^{F11}22] A residuary body shall be treated as a local authority for the purposes of the following provisions of the Housing Act 1985—
- sections 43 and 44 (consent required for certain disposals of houses),
- sections 45 to 51 (restrictions on recovery of service charges after disposal of house),
- Parts IV and V (secure tenancies and the right to buy),
- sections 442 (so far as relates to agreements within subsection (1)(b)), 443, 444, [^{F12}450A to 450C,] 452 and 453 (provision in connection with local authority mortgages), and
- Part XVI (assistance for owners of defective premises disposed of by local authorities and others).

Textual Amendments

- F11** [Sch. 13 paras. 22—24](#) substituted for paras. 22 and 23 by [Housing \(Consequential Provisions\) Act 1985 \(c.71, SIF 61\)](#), s. 4, **Sch. 2 para. 61**
- F12** Words in [Sch. 13 para. 22](#) inserted (17.8.1992) by [Housing and Planning Act 1986 \(c. 63, SIF 81:1\)](#), s. 24(1)(2), **Sch. 5 para. 19**; [S.I. 1992/1753](#), **art. 2(2)**

- 23 A residuary body shall be treated as a local authority for the purposes of sections 84(5)(b) and 85(4) of the Housing Associations Act 1985 (consultation on forms of agreement and meaning of “relevant advance”).

Textual Amendments

- F11** [Sch. 13 paras. 22—24](#) substituted for paras. 22 and 23 by [Housing \(Consequential Provisions\) Act 1985 \(c.71, SIF 61\)](#), s. 4, **Sch. 2 para. 61**

- 24 A residuary body shall be treated as a local authority for the purposes of the following provisions of the Landlord and Tenant Act 1985—
- section 14(4) (exclusion of implied repairing obligations) . . . ^{F13}
- sections 18 to 30 (service charges) [^{F14}, and paragraph 9(1) of the Schedule.]

Textual Amendments

- F11** [Sch. 13 paras. 22—24](#) substituted for paras. 22 and 23 by [Housing \(Consequential Provisions\) Act 1985 \(c.71, SIF 61\)](#), s. 4, **Sch. 2 para. 61**
- F13** Word repealed by [Landlord and Tenant Act 1987 \(c.31, SIF 75:1\)](#), s. 61(1), **Sch. 4 para. 3(a)(i)**

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F14 Words added by Landlord and Tenant Act 1987 (c.31, SIF 75:1), s. 61(1), **Sch. 4 para. 3(a)(ii)**

[
F15 25 A residuary body shall be treated as a local authority for the purposes of Part III of the Local Government Act 1986 (transfer of local authority mortgages).

Textual Amendments

F11 Sch. 13 paras. 22—24 substituted for paras. 22 and 23 by Housing (Consequential Provisions) Act 1985 (c.71, SIF 61), s. 4, **Sch. 2 para. 61**

F15 Sch. 13 paras. 25, 26 added by Local Government Act 1986 (c.10, SIF 81:1, 2), s. 9(3), and by Landlord and Tenant Act 1987 (c.31, SIF 75:1), s. 61(1), **Sch. 4 para. 3(b)**

26 A residuary body shall be included among the bodies specified in section 58(1) of the Landlord and Tenant Act 1987.]]

Textual Amendments

F11 Sch. 13 paras. 22—24 substituted for paras. 22 and 23 by Housing (Consequential Provisions) Act 1985 (c.71, SIF 61), s. 4, **Sch. 2 para. 61**

F15 Sch. 13 paras. 25, 26 added by Local Government Act 1986 (c.10, SIF 81:1, 2), s. 9(3), and by Landlord and Tenant Act 1987 (c.31, SIF 75:1), s. 61(1), **Sch. 4 para. 3(b)**

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