



Local Government Act 1986

1986 CHAPTER 10

PART III

TRANSFER OF LOCAL AUTHORITY MORTGAGES

9 Interpretation and application of Part III.

(1) In this Part—

(a) “local authority” means—

a county, district or London borough council,
the Common Council of the City of London,
[^{F1}a police and crime commissioner,
the Mayor's Office for Policing and Crime]

^{F2}

^{F3}

a joint authority established by Part IV of the ^{M1}Local Government Act 1985,

[^{F4}a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009,]

[^{F5}a combined county authority established under section 9(1) of the Levelling-up and Regeneration Act 2023,]

[^{F6}a fire and rescue authority created by an order under section 4A of the Fire and Rescue Services Act 2004,]

[^{F7}the London Fire Commissioner,]

the Council of the Isles of Scilly, or

any other authority prescribed for the purposes of this Part by regulations made by the Secretary of State,

and includes any authority, board or committee which discharges functions which would otherwise fall to be discharged by two or more such authorities,

(b) references to a local authority's interest as mortgagee of land include any interest of the authority in the land or in the debt secured, and

Changes to legislation: There are currently no known outstanding effects for the Local Government Act 1986, Section 9. (See end of Document for details)

- (c) references to the disposal of such an interest are to any transfer of the interest otherwise than by operation of law;
and for the purposes of this Part the disposal of an interest in registered land shall be taken to occur when the transfer is made and not when it is registered.
- (2) Regulations under this section shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (3) At the end of Schedule 13 to the ^{M2}Local Government Act 1985 (provisions with respect to residuary bodies) add—

“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

- F1** Words in s. 9(1)(a) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 174](#); S.I. 2011/3019, art. 3, [Sch. 1 \(with Sch. 2 para. 51\)](#)
- F2** Words in s. 9(1)(a) repealed (1.4.2002) by 2001 c. 16, ss. 128(1), 137, [Sch. 6 Pt. 2 para. 42](#), [Sch. 7 Pt. 5\(1\)](#); S.I. 2002/344, [art. 3\(m\)](#)
- F3** Words repealed by [Education Reform Act 1988 \(c. 40, SIF 41:1\)](#), ss. 231(7), 235(6), 237(2), [Sch. 13 Pt. I](#)
- F4** Words in s. 9(1)(a) inserted (17.12.2009) by [Local Democracy, Economic Development and Construction Act 2009 \(c. 20\)](#), s. 148(6), [Sch. 6 para. 71\(3\)](#); S.I. 2009/3318, art. 2(c)
- F5** Words in s. 9(1)(a) inserted (26.12.2023) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), s. 255(2)(c), [Sch. 4 para. 89](#) (with s. 247)
- F6** Words in s. 9(1)(a) inserted (31.1.2017 for specified purposes, 3.4.2017 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), s. 183(1)(5)(e), [Sch. 1 para. 53](#); S.I. 2017/399, reg. 2, [Sch. para. 38](#)
- F7** Words in s. 9(1)(a) substituted (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. 78](#); S.I. 2018/227, reg. 4(c)

Modifications etc. (not altering text)

- C1** S. 9 extended (5.7.1994) by 1994 c. 19, ss. 39, 66(2)(b), [Sch. 13 para. 20\(m\)](#) (with ss. 54(5)(7), 55(5), [Sch. 17 paras. 22\(1\), 23\(2\)](#))
- C2** S. 9(1)(a) extended by S.I. 1987/2110, art. 2(2), [Sch. 1 para. 8\(q\)](#)
- C3** S. 9(1)(a) amended by S.I. 1989/1815, art. 2, [Sch. 1 para. 6\(e\)](#)

Marginal Citations

- M1** 1985 c. 51.
M2 1985 c. 51.

Changes to legislation:

There are currently no known outstanding effects for the Local Government Act 1986, Section 9.