

SCHEDULES

SCHEDULE 6

Section 21.

APPLICATION TO AUTHORITY OF CERTAIN ENACTMENTS APPLYING TO LOCAL AUTHORITIES ETC.

The Commons Act 1899

- 1 In section 18 of the Commons Act 1899 (power of Charity Commissioners to modify provisions as to recreation grounds etc.), the following paragraph shall be added at the end—

“For the purposes of this section the Broads Authority shall be treated as a district council.”

The Landlord and Tenant Act 1954

- 2 In section 69 of the Landlord and Tenant Act 1954 (interpretation), in the definition of “local authority”, the words “the Broads Authority” shall be inserted after the word “includes”.

The Trustee Investments Act 1961

- 3 In section 11 of the Trustee Investments Act 1961 (local authority investment schemes), in subsection (4)(a), the words “the Broads Authority” shall be inserted after the words “City of London”.

The Local Government (Records) Act 1962

- 4 In section 8 of the Local Government (Records) Act 1962 (interpretation), in the definition of local authority, the words “the Broads Authority” shall be inserted after the word “district”.

The General Rate Act 1967

- 5 (1) In section 44 of the General Rate Act 1967 (exemption of parks etc.), in the definition of local authority, the words “the Broads Authority” shall be inserted after the word “meeting”.
- (2) In section 85 of that Act (duty of local authorities with respect to alteration of valuation lists), in the definition of local authority, the words “the Broads Authority” shall be inserted after the word “district”.

Status: This is the original version (as it was originally enacted).

The Leasehold Reform Act 1967

- 6 In section 28 of the Leasehold Reform Act 1967 (retention or resumption of land required for public purposes), in subsection (5), the following paragraph shall be inserted after paragraph (a)—
- “(aa) to the Broads Authority; and”.

The Employers Liability (Compulsory Insurance) Act 1969

- 7 In section 3 of the Employers Liability (Compulsory Insurance) Act 1969 (employers exempted from insurance), in subsection (2), the words “the Broads Authority” shall be inserted after the word “Wales”, where it first occurs.

The Local Authorities (Goods and Services) Act 1970

- 8 (1) In section 1 of the Local Authorities (Goods and Services) Act 1970 (supply of goods and services by local authorities), in the definition of local authority in subsection (4), the words “the Broads Authority” shall be inserted after the word “borough”.
- (2) The following subsection shall be added at the end of section 1 of that Act—
- “(7) The Great Yarmouth Port and Haven Commissioners shall be treated as a public body for the purposes of paragraphs (a) and (b) of subsection (1) above as those paragraphs apply in relation to agreements entered into by the Broads Authority.”

The Road Traffic Act 1972

- 9 In section 144 of the Road Traffic Act 1972 (exceptions from requirement of third party insurance or security), in subsection (2)(a), the words “the Broads Authority” shall be inserted after the word “Wales”, where it first occurs.

The Local Government Act 1972

- 10 (1) The following section shall be inserted in the Local Government Act 1972 after section 265—

“265A Application in relation to the Broads Authority

- (1) Subject to subsections (2) and (3) below, the following provisions of this Act shall have effect as if the Broads Authority were a local authority and the Broads were its local government area—
- (a) section 70;
 - (b) sections 80(1)(a) and (2), 85, 92, 94 to 98, 99 and 100;
 - (c) sections 101 to 106;
 - (d) sections 111 to 119;
 - (e) sections 120 to 123 and 128 to 131;
 - (f) sections 135, 136, 139, 140, 140A, 140C, 143 and 144;
 - (g) sections 153 and 173 to 177; and
 - (h) sections 222, 223, 225, 228 to 234 and 239.
- (2) The Navigation Committee of the Broads Authority shall be treated, for the purposes of this Act and of any other enactment relating to the committees of

local authorities (but subject to section 9 of the Norfolk and Suffolk Broads Act 1988), as a committee of the Authority appointed under section 102 of this Act.

- (3) Sections 120 to 123, 128 and 224 shall have effect as if the Authority were a principal council.”
- (2) The provisions of section 82 of the Act of 1972 (validity of acts done by unqualified persons) shall become subsection (1) of that section and after that subsection there shall be inserted the following subsection—
- “(2) Subsection (1) above shall have effect, in relation to the Broads Authority, as if the reference to this Act included a reference to the Norfolk and Suffolk Broads Act 1988.”.
- (3) In section 92 of the Act of 1972 (proceedings for disqualification), the following subsection shall be added at the end—
- “(8) In relation to the Broads Authority, the reference in subsection (1) above to a local government elector for the area concerned shall be construed as a reference to a local government elector for the area of any of the local authorities mentioned in section 1(3)(a) of the Norfolk and Suffolk Broads Act 1988.”
- (4) In section 100E of the Act of 1972 (application to committees and sub-committees), in subsection (3), the following shall be inserted after paragraph (b)—
- “(bb) the Navigation Committee of the Broads Authority; or”;
- and in paragraph (c), for the words “paragraph (a) or (b)” there shall be substituted the words “paragraphs (a) to (bb)”.
- (5) In section 100J of the Act of 1972 (application of access to information provisions to various authorities), in subsection (1), the following paragraph shall be inserted after paragraph (c)—
- “(cc) the Broads Authority;”;
- in subsection (3) after “(b)” there shall be inserted “(cc)” and in subsection (4) the following paragraph shall be inserted after paragraph (a)—
- “(aa) in relation to the Broads Authority or its Navigation Committee, with the substitution for the words from “ward” onwards of the words “name of the body which appointed him”; and”.
- (6) In section 177 of the Act of 1972 (supplementary provision relating to allowances etc.), the following subsection shall be added at the end—
- “(5) In their application to the Broads Authority, sections 173(1) and 173A shall have effect as if—
- (a) references to a councillor were references to a member of the Authority appointed by one of the bodies mentioned in section 1(3) (a) of the Norfolk and Suffolk Broads Act 1988; and
- (b) references to a person’s election were references to his appointment.”
- (7) In section 177A of the Act of 1972 (special responsibility allowances), the following subsection shall be added at the end—

Status: This is the original version (as it was originally enacted).

“(6) For the purposes of this section the Broads Authority shall be deemed to be a principal council; and in its application to the Authority this section shall have effect as if the reference to any member who is a councillor were a reference to any member of the Authority and any member of its Navigation Committee.”.

(8) In section 228 of the Act of 1972 (inspection of documents), the following subsection shall be added at the end—

“(9) In relation to the Broads Authority, the references in this section to a local government elector for the area of the authority shall be construed as references to a local government elector for the area of any of the local authorities mentioned in section 1(3)(a) of the Norfolk and Suffolk Broads Act 1988.”.

(9) In section 270 of the Act of 1972 (interpretation), the following definition shall be inserted at the appropriate place—

““the Broads” has the same meaning as in the Norfolk and Suffolk Broads Act 1988.”.

The Employment Agencies Act 1973

11 In section 13 of the Employment Agencies Act 1973, the following paragraph shall be inserted in subsection (7) (cases in which Act does not apply) after paragraph (f)

—
“(ff) the exercise by the Broads Authority of any of its functions;”.

The Local Government Act 1974

12 In section 34 of the Local Government Act 1974 (interpretation of Part III, which relates to local government administration), in the definition of local authority, the words “the Broads Authority” shall be inserted after the words “district council”.

The Health and Safety at Work etc. Act 1974

13 In section 28 of the Health and Safety at Work etc. Act 1974 (restrictions on disclosure of information), the following subsection shall be added at the end—

“(10) For the purposes of this section the Broads Authority shall be treated as a local authority.”

The Local Land Charges Act 1975

14 In section 1 of the Local Land Charges Act 1975 (definition of local land charges), the following subsection shall be added at the end—

“(3) For the purposes of this section and section 2 of this Act, the Broads Authority shall be treated as a local authority.”

The Local Government (Miscellaneous Provisions) Act 1976

- 15 In section 44 of the Local Government (Miscellaneous Provisions) Act 1976 (interpretation of Part I), the following subsection shall be inserted after subsection (1)—

“(1A) Sections 13, 15, 16, 29, 30, 32, 38, 39 and 41 of this Act shall have effect as if the Broads Authority were a local authority and the Broads (as defined in the Norfolk and Suffolk Broads Act 1988) were its local government area.”

The Race Relations Act 1976

- 16 In section 71 of the Race Relations Act 1976 (general statutory duty of local authorities), the following paragraph shall be added at the end—

“The Broads Authority shall be treated as a local authority for the purposes of this section.”

The Rent (Agriculture) Act 1976

- 17 In section 5(3) of the Rent (Agriculture) Act 1976 (no statutory tenancy where landlord’s interest belongs to Crown or local authority etc.), the following paragraph shall be inserted after paragraph (b)—

“(bc) the Broads Authority;”.

The Rent Act 1977

- 18 In section 14 of the Rent Act 1977 (exemption from protection for lettings by local authorities etc.), the following paragraph shall be inserted after paragraph (b)—

“(bb) the Broads Authority;”.

The Employment Protection (Consolidation) Act 1978

- 19 In section 29(1) of the Employment Protection (Consolidation) Act 1978 (time off for public duties for members of local authorities etc.), the following paragraph shall be inserted after paragraph (b)—

“(bb) a member of the Broads Authority;”.

The Justices of the Peace Act 1979

- 20 In section 64 of the Justices of the Peace Act 1979 (which disqualifies in certain circumstances justices who are members of local authorities), the following subsection shall be inserted after subsection (2)—

“(2A) For the purposes of subsections (1) and (2) above, the Broads Authority shall be treated as a local authority.”

The Local Government, Planning and Land Act 1980

- 21 (1) In section 71 of the Local Government, Planning and Land Act 1980 (authorities to which capital expenditure provisions of Part VIII of the Act apply), the following paragraph shall be inserted in subsection (1) after paragraph (e)—

“(ee) the Broads Authority;”.

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- (2) In subsection (1) of section 72 of the Act of 1980 (amount of expenditure which authorities may make), after the word “paragraphs”, where it first occurs, there shall be inserted “(ee)” and for the word “either” there shall be inserted the word “any”.

The Acquisition of Land Act 1981

- 22 In section 17 of the Acquisition of Land Act 1981 (special parliamentary procedure for compulsory acquisition of land which is the property of local authority etc.), in subsection (4)(a), the words “the Broads Authority” shall be inserted after the word “district”.

The Local Government (Miscellaneous Provisions) Act 1982

- 23 (1) In section 33 of the Local Government (Miscellaneous Provisions) Act 1982 (enforceability by local authorities of certain covenants relating to land), in the definition of principal council in subsection (9), the words “the Broads Authority” shall be inserted after the word “borough”.
- (2) In sections 41(13) (lost and uncollected property) and 45(2) (arrangements under the Employment and Training Act 1973) of the Act of 1982, the following paragraph shall be inserted after paragraph (b)—
- “(bb) the Broads Authority; and”.

The County Courts Act 1984

- 24 In section 60 of the County Courts Act 1984 (right of audience for proper officer of local authority in certain circumstances), in subsection (3), the words “the Broads Authority” shall be inserted after the words “district council”.

The Housing Act 1985

- 25 In the definition of “local authority” in section 4 of the Housing Act 1985—
- (a) the words “, in sections 43, 44 and 232 includes the Broads Authority” shall be inserted after the word “Scilly”; and
- (b) the words “the Broads Authority” shall be inserted after the words “Education Authority”.

The Landlord and Tenant Act 1985

- 26 In the definition of “local authority” in section 38 of the Landlord and Tenant Act 1985, the words “the Broads Authority” shall be inserted after the words “Education Authority”.

The Local Government Act 1986

- 27 In section 6 of the Local Government Act 1986 (interpretation of Part II, which is concerned with local government publicity), the following shall be inserted in subsection (2)(a) after “City of London”—
- “the Broads Authority (except in section 3),”.

The Landlord and Tenant Act 1987

- 28 In section 58 of the Landlord and Tenant Act 1987 (exempt bodies), the following paragraph shall be inserted after paragraph (d)—
- “(dd) the Broads Authority;”.