

*Changes to legislation: There are currently no known outstanding effects for the
Local Government Act 1992, SCHEDULE 3. (See end of Document for details)*

SCHEDULES

SCHEDULE 3

Section 27.

AMENDMENTS CONSEQUENTIAL ON PART II

Commencement Information

II Sch. 3 wholly in force 31.10.1992 see s. 30(3)(b) and S.I. 1992/2371, art. 2

The Fire Services Act 1947 (c. 41)

1 In section 6 of the Fire Services Act 1947 (power of the Secretary of State to make combination schemes)—

- (a) in subsection (2), after the word “thereto” there shall be inserted the words “ or subsection (2A) of this section applies ”; and
- (b) after that subsection there shall be inserted the following subsection—

“(2A) If, in a case where the authorities to whom notice of a proposed scheme has been given under subsection (2) of this section do not assent thereto—

- (a) it appears to the Secretary of State that the proposed scheme contains only such provision as is appropriate in consequence of an order under Part II of the Local Government Act 1992 containing provision for giving effect to a structural change (within the meaning of that Part); and
- (b) the period (if any) that has elapsed between the making of that order and the giving of that notice does not exceed twelve months,

the Secretary of State shall be under a duty to consider any representations made by those authorities with respect to the proposed scheme within such period as may have been specified in the notice, but shall not be required under that subsection to cause a public local inquiry to be held.”

Commencement Information

I2 Sch. 3 wholly in force 31.10.1992 see s. 30(3)(b) and S.I. 1992/2371, art. 2

2 In section 10 of that Act (schemes for combination of fire areas in advance of alterations of local government areas)—

- (a) for the words from “constituting” to “a county” there shall be substituted the words “ or Part II of the Local Government Act 1992 affecting any area ”;

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- (b) for the words “that date” there shall be substituted the words “ the date on which that order gives effect to any transfer of functions or alteration of boundaries in relation to that area ”; and
- (c) for the words from “as if” onwards there shall be substituted the words “as if—
 - (a) references to the area of a fire authority included references to any area which (apart from any combination scheme under this section) would become such an area by virtue of such an order or which, in accordance with such an order, is to be treated, for the purposes of the making of any combination scheme, as an area which would become the area of a fire authority by virtue of that order; and
 - (b) references, in relation to such an area, to the fire authority were references to the fire authority for any area the whole or any part of which will be included in that area.”

Commencement Information

I3 Sch. 3 wholly in force 31.10.1992 see s. 30(3)(b) and S.I. 1992/2371, art. 2

The Police Act 1964 (c. 48)

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Textual Amendments

F1 Sch. 3 paras. 3-5 repealed (1.4.1995) by 1994 c. 29, s. 93, Sch. 9 Pt. I; S.I. 1994/3262, art. 4, Sch.

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Textual Amendments

F2 Sch. 3 paras. 3-5 repealed (1.4.1995) by 1994 c. 29, s. 93, Sch. 9 Pt. I; S.I. 1994/3262, art. 4, Sch.

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Textual Amendments

F3 Sch. 3 paras. 3-5 repealed (1.4.1995) by 1994 c. 29, s. 93, Sch. 9 Pt. I; S.I. 1994/3262, art. 4, Sch.

The Local Government Act 1972 (c. 70)

6 In section 6(2)(c) of the 1972 Act (term of office and retirement of councillors), for the words “Part IV of this Act” there shall be substituted the words “ Part II of the Local Government Act 1992 ”.

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Commencement Information

I4 Sch. 3 wholly in force 31.10.1992 see s. 30(3)(b) and S.I. 1992/2371, art. 2

- 7 (1) In subsection (6) of section 7 of the 1972 Act (election of councillors), for the words “section 51 below” there shall be substituted the words “ section 17 of the Local Government Act 1992 ”.
- (2) In subsection (7) of that section—
- (a) for the words “ask the English Commission to make proposals” there shall be substituted the words “ direct the Local Government Commission for England to conduct a review and make recommendations ”; and
- (b) for the words following paragraph (b) there shall be substituted the words — “ and the provisions of Part II of the Local Government Act 1992 shall apply accordingly ”.

Commencement Information

I5 Sch. 3 wholly in force 31.10.1992 see s. 30(3)(b) and S.I. 1992/2371, art. 2

- 8 In section 9(4) of the 1972 Act (parish meetings and councils), for the words “section 10 or 11 or Part IV below” there shall be substituted the words “ section 10 or 11 below or Part II of the Local Government Act 1992 ”.

Commencement Information

I6 Sch. 3 wholly in force 31.10.1992 see s. 30(3)(b) and S.I. 1992/2371, art. 2

- 9 In section 11(5)(a) of the 1972 Act (orders for grouping parishes, dissolving groups and separating parishes from groups), for the words “Part IV below” there shall be substituted the words “ Part II of the Local Government Act 1992 ”.

Commencement Information

I7 Sch. 3 wholly in force 31.10.1992 see s. 30(3)(b) and S.I. 1992/2371, art. 2

- 10 In subsection (2) of section 12 of the 1972 Act (provision supplementary to sections 9 to 11 of that Act), for the words from “section 68 below” to the end of the subsection there shall be substituted the words “ section 20 of the Local Government Act 1992 shall apply as if the order were made under Part II of that Act ”.

Commencement Information

I8 Sch. 3 wholly in force 31.10.1992 see s. 30(3)(b) and S.I. 1992/2371, art. 2

- 11 In section 30(1)(b) and (3) of the 1972 Act (restriction on community applications during and after reviews under Part IV of that Act), for the words “the Commission or Commissions”, in each place where they occur, there shall be substituted the words “ the Welsh Commission ”.

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Commencement Information

I9 Sch. 3 wholly in force 31.10.1992 see s. 30(3)(b) and S.I. 1992/2371, art. 2

- 12 In section 54(1)(e) of the 1972 Act (proposals for change in local government areas in Wales), for the words “a substantive change” there shall be substituted the words “a change (hereafter in this Part referred to as a substantive change) which is independent of any change in local government areas so proposed”.

Commencement Information

I10 Sch. 3 wholly in force 31.10.1992 see s. 30(3)(b) and S.I. 1992/2371, art. 2

- 13 (1) In subsection (1) of section 60 of the 1972 Act (procedure for reviews), for the words “A Commission or” there shall be substituted the words “The Welsh Commission or a”.
- (2) In subsections (2) to (7) of that section, for the words “a Commission”, in each place where they occur, there shall be substituted the words “the Welsh Commission”.

Commencement Information

I11 Sch. 3 wholly in force 31.10.1992 see s. 30(3)(b) and S.I. 1992/2371, art. 2

- 14 In section 61(1) of the 1972 Act (local inquiries), for the words “A Commission or” there shall be substituted the words “The Welsh Commission or a”.

Commencement Information

I12 Sch. 3 wholly in force 31.10.1992 see s. 30(3)(b) and S.I. 1992/2371, art. 2

- 15 (1) In subsection (1) of section 65 of the 1972 Act (delegation of functions), for the words “A Commission” there shall be substituted the words “The Welsh Commission”.
- (2) In subsection (2) of that section, for the words “a Commission” there shall be substituted the words “the Welsh Commission”.

Commencement Information

I13 Sch. 3 wholly in force 31.10.1992 see s. 30(3)(b) and S.I. 1992/2371, art. 2

- 16 (1) In subsection (1) of section 71 of the 1972 Act (modification of seaward boundaries of local government areas), for the words “A Commission” there shall be substituted the words “The Welsh Commission”.
- (2) In subsection (2) of that section, for the words “a Commission”, in each place where they occur, there shall be substituted the words “the Welsh Commission”.

Commencement Information

I14 Sch. 3 wholly in force 31.10.1992 see s. 30(3)(b) and S.I. 1992/2371, art. 2

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- 17 In section 73(2) of the 1972 Act (alteration of local boundaries consequent on alteration of water course), for the words “the English Commission” there shall be substituted the words “ the Local Government Commission for England ”.

Commencement Information

I15 Sch. 3 wholly in force 31.10.1992 see s. 30(3)(b) and S.I. 1992/2371, art. 2

- 18 (1) In subsection (1) of section 78 of the 1972 Act (supplementary), in the definition of “substantive change” for the words “section 47(1)(i)” there shall be substituted the words “ section 54(1)(e) ”.
- (2) In subsection (2) of that section, for the words “each of the Commissions” there shall be substituted the words “ the Welsh Commission ”.

Commencement Information

I16 Sch. 3 wholly in force 31.10.1992 see s. 30(3)(b) and S.I. 1992/2371, art. 2

- 19 (1) In paragraph 7(1)(b) of Schedule 2 to the 1972 Act (constitution of London borough councils), for the words “Part IV of this Act” there shall be substituted the words “ Part II of the Local Government Act 1992 ”.
- (2) In paragraph 7(2) of that Schedule, for the words “Part IV of this Act”, in the first place where they occur, there shall be substituted the words “ Part II of the Local Government Act 1992 ”.

Commencement Information

I17 Sch. 3 wholly in force 31.10.1992 see s. 30(3)(b) and S.I. 1992/2371, art. 2

- 20 In paragraph 10 of Schedule 3 to the 1972 Act (establishment of local authorities in England), for the words “Part IV of this Act”, in each place where they occur, there shall be substituted the words “ Part II of the Local Government Act 1992 ”.

Commencement Information

I18 Sch. 3 wholly in force 31.10.1992 see s. 30(3)(b) and S.I. 1992/2371, art. 2

The Interpretation Act 1978 (c. 30)

- 21 In Schedule 1 to the Interpretation Act 1978, in the definition of “London borough” after the words “the Local Government Act 1972” there shall be inserted the words “ or Part II of the Local Government Act 1992 ”.

Commencement Information

I19 Sch. 3 wholly in force 31.10.1992 see s. 30(3)(b) and S.I. 1992/2371, art. 2

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The Banking Act 1987 (c. 22)

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Textual Amendments

F4 Sch. 3 para. 22 repealed (1.12.2001) by S.I. 2001/3649, arts. 1, 331

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