



Local Government (Wales) Act 1994

1994 CHAPTER 19

PART VI

TRANSITIONAL PROVISIONS

53 Continuity of exercise of functions.

- (1) The abolition of the old authorities shall not affect the validity of anything done by any of those authorities before their abolition.
- (2) Anything which at 1st April 1996 is in the process of being done by or in relation to an old authority in the exercise of, or in connection with, any relevant functions may be continued by or in relation to the authority (“the successor authority”) by which those functions become exercisable or, as the case may be, become exercisable in respect of the area in question.
- (3) Where immediately before 1st April 1996 any relevant functions exercisable by an old authority are exercisable concurrently by another such authority, or by other such authorities in respect of their respective areas, subsection (2) shall have effect as if those functions had by virtue of this Act become functions of that other authority or of those other authorities in respect of their respective areas.
- (4) Anything done by or in relation to an old authority before 1st April 1996 in the exercise of or in connection with any relevant functions shall, so far as is required for continuing its effect on and after that date, have effect as if done by or in relation to the successor authority.
- (5) Subsection (4) applies in particular to—
 - (a) any decision, determination, declaration, designation, agreement or instrument made by an old authority;
 - (b) any regulations or byelaws made by an old authority;
 - (c) any licence, permission, consent, approval, authorisation, exemption, dispensation or relaxation granted by or to an old authority;
 - (d) any notice, direction or certificate given by or to an old authority;
 - (e) any application, request, proposal or objection made by or to an old authority;

Changes to legislation: There are currently no known outstanding effects for the Local Government (Wales) Act 1994, Section 53. (See end of Document for details)

- (f) any condition or requirement imposed by or on an old authority;
 - (g) any fee paid by or to an old authority;
 - (h) any appeal allowed by or in favour of or against an old authority;
 - (i) any proceedings instituted by or against an old authority.
- (6) Any reference in this section to anything done by or in relation to an old authority includes a reference to anything which by virtue of any enactment is treated as having been done by or in relation to that authority.
- (7) Any reference (however framed) to an old authority in any document constituting, or relating to, anything to which the provisions of this section apply shall, so far as is required for giving effect to those provisions, be construed as a reference to the successor authority.
- (8) The provisions of this section are without prejudice to any provision made by or under this Act in relation to any particular functions and shall not be construed as continuing in force any contract of employment made by any of the old authorities.
- (9) The Secretary of State may, in relation to any particular functions, by order exclude, modify or supplement any of the provisions of this section or make such other transitional provision as he thinks necessary or expedient.
- (10) In this section “relevant functions” means statutory functions which by virtue of any provision made by or under this Act become functions of another authority, or of other authorities in respect of their respective areas.

Modifications etc. (not altering text)

C1 [S. 53\(4\)-\(7\)](#) applied (with modifications) (23.11.1995) by [S.I. 1995/2803](#), [art. 15\(3\)](#) (with transitional provisions in [Schs. 6-8](#))

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