



Local Government (Wales) Act 1994

1994 CHAPTER 19

PART VI

TRANSITIONAL PROVISIONS

57 Local Acts and instruments.

- (1) Any local statutory provision to which this section applies and which is not continued in force by any other provision of this Act shall continue to apply on and after 1st April 1996 to the area, things or persons to which or to whom it applies before that date, but subject to the modifications made by subsections (3) to (5) and to any other necessary modifications.
- (2) The continuation by subsection (1) of an instrument made under any enactment shall not be taken to affect any power to vary or revoke the instrument which is exercisable apart from that subsection.
- (3) Subsection (1) has effect subject to the provisions of—
 - (a) this Act;
 - (b) any Act passed after this Act but before 1st April 1996; and
 - (c) any order made under section 54 or 55 or this section.
- (4) Any local statutory provision to which this section applies and which relates to functions exercisable by an old authority of any description, by virtue of any public general enactment, shall have effect as if for any reference to the authority by whom the functions are exercisable immediately before 1st April 1996 or to their area there were substituted a reference to—
 - (a) the authority by whom those functions are exercisable on and after that date; or
 - (b) (as the case may be) to so much of the area of the latter authority as comprises the area of the former authority or any part of that area.
- (5) In any local statutory provision to which this section applies but which does not fall within subsection (4), for any reference to the area of an old authority or to an old authority there shall be substituted a reference to so much of the new principal area

Changes to legislation: There are currently no known outstanding effects for the Local Government (Wales) Act 1994, Section 57. (See end of Document for details)

as comprises the area of the old authority or any part thereof or, as the case may be, the council of that new principal area.

- (6) Subsections (4) and (5) have effect subject to any provision to the contrary made by, or by any instrument made under, this Act.
- (7) The Secretary of State may by order provide for the exercise of functions conferred by any local statutory provision to which this section applies and exclude the operation of any provision of this section where it would otherwise conflict with any provision of the order.
- (8) This section applies to any local statutory provision which is in force in Wales immediately before 1st April 1996 and is not expressly repealed or revoked by this Act.
- (9) In this section “local statutory provision” means a provision of—
 - (a) a local Act (including an Act confirming a provisional order);
 - (b) a public general Act passed with respect only to the whole or part of a local government area in Wales as it existed immediately before the passing of this Act;
 - (c) an instrument made under any such local or public general Act; or
 - (d) an instrument in the nature of a local enactment made under any other Act.

Modifications etc. (not altering text)

C1 S.57(7): transfer of functions (1.7.1999) by S.I. 1999/672, art. 2, Sch. 1

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