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STATUTORY INSTRUMENTS

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**1964 No. 1464**

**The London Authorities (Property etc.) Order 1964**

*General provisions as to property etc. transferred*

**31.** Any property or liability transferred by the preceding articles of this order to the authority for any area, other than the hereditaments, rents and profits, common lands and public stock and property held for any charitable use or trust as to which provision is made in article 40, shall be held or discharged by them in respect of the area.

**32.** Any land held for the purposes of an enactment specified in columns (1) and (2) of Schedule 5 (or of any extension thereof contained in any further order under section 84 of the Act made before 1st April 1965) and transferred by the Act or this order to any authority shall be held by that authority for the purposes of the enactment specified in respect of such first-mentioned enactment in column (3).

**33.** Any byelaws in force for the regulation of any property transferred by the Act or the preceding articles of this order shall have effect as if they had been made by the authority to whom such property is transferred.

Where any such byelaws were made for the purposes of an enactment specified in columns (1) and (2) of Schedule 5 (or in any extension thereof described in article 32) they may be amended or revoked by the said authority as if made for the purposes of the enactment specified in respect of such first-mentioned enactment in column (2).

**34.** Any authorisation of the borrowing of money in force in respect of any property or liability transferred by the Act or the preceding articles of this order may, in so far as it has not been acted on, and notwithstanding the repeal by any order made under sections 84 and 87 of the Act of the provision effecting or empowering the authorisation, but subject to the terms applicable thereto, be acted on by the authority to whom such property or liability is transferred.

In this article, any reference to the transfer of property by the Act includes the vesting of a highway in a highway authority by virtue of section 226 of the Highways Act 1959.

**35.** Subject to article 11(6)(ii) and (7)(ii), the provision made by the preceding articles of this order other than articles 18 to 26 is without prejudice to—

- (a) any agreement, or arbitration in default of agreement, as to the use of any property transferred by the Act or this order;
- (b) any scheme under section 32 of the Act;
- (c) any agreement which may be made under section 151 of the Local Government Act 1933, as applied by section 84(5) of the Act, for payment in respect of any matter transferred by the Act or the said articles, or arbitration in default of such agreement;
- (d) any adjustment under the said section 151, as so applied, in relation to matters not transferred by the Act or this order.

**36.** All legal proceedings pending at 1st April 1965 may be amended in such manner as may be necessary or proper in consequence of the Act or the preceding articles of this order.