

1974 No. 335 (C.8)

LOCAL GOVERNMENT, ENGLAND AND WALES

**The Local Government Act 1974
(Commencement No. 1) Order 1974**

Made - - - - 4th March 1974

The Secretary of State for the Environment, in exercise of his powers under section 43(2) and (3) of the Local Government Act 1974(a) and of all other powers enabling him in that behalf, hereby makes the following order:—

Title

1. This order may be cited as the Local Government Act 1974 (Commencement No. 1) Order 1974.

Interpretation

2.—(1) The Interpretation Act 1889(b) shall apply for the interpretation of this order as it applies for the interpretation of an Act of Parliament.

(2) In this order, “the Act” means the Local Government Act 1974.

Provisions being brought into operation

3. Sections 15, 17 and 42 of, and paragraphs 8 and 13 of Schedule 7 to, the Act shall come into operation on 4th March 1974.

4. The following provisions of the Act, namely—

sections 11 to 14

sections 18 to 21

section 35

section 37

Schedule 6 (except paragraphs 15 and 23(1))

Schedule 7 (except paragraph 2 and the other paragraphs specified in article 3 above)

(a) 1974 c. 7.

(b) 1889 c. 63.

Schedule 8 (except the entries relating to sections 97 and 98 of the National Parks and Access to the Countryside Act 1949(a), the Weights and Measures Act 1963(b), the Rating Act 1966(c), sections 1 to 5, 8, 10 and 27(2) of and Schedule 1 to the Local Government Act 1966(d), section 49 of and Schedule 9 to the General Rate Act 1967(e), sections 72(6)(a) and 84B(8)(a) of the Road Traffic Regulation Act 1967(f), sections 33 to 35 and 36 of the Countryside Act 1968(g), sections 13(7), 34(2) and (3) and 138(6) of the Transport Act 1968(h), sections 3(1), 7(5) and (6) and 29(1)(a) of the Transport (London) Act 1969(i), the Highways Act 1971(j), section 212(1) of the Town and Country Planning Act 1971(k), the Housing Finance Act 1972(l), section 203(5) of and paragraph 12 of Schedule 24 to the Local Government Act 1972(m), and the Rate Rebate Act 1973(n)),

shall come into operation on 1st April 1974.

5. The following provisions of the Act, namely—

- (a) in Schedule 6, paragraph 15, and
- (b) in Schedule 8, the entries relating to the Weights and Measures Act 1963,

shall come into operation on 1st October 1974.

6. The following provisions of the Act, namely—

- (a) in Schedule 6, paragraph 23(1),
- (b) in Schedule 7, paragraph 2, and
- (c) in Schedule 8, the entries relating to section 27(2) of the Local Government Act 1966, sections 72(6)(a) and 84B(8)(a) of the Road Traffic Regulation Act 1967, sections 34(2) and (3) of the Transport Act 1968, sections 7(5) and (6) and 29(1)(a) of the Transport (London) Act 1969, the Highways Act 1971 and section 212(1) of the Town and Country Planning Act 1971,

shall come into operation on 1st April 1975.

(a) 1949 c. 97.	(b) 1963 c. 31.	(c) 1966 c. 9.	(d) 1966 c. 42.
(e) 1967 c. 9.	(f) 1967 c. 76.	(g) 1968 c. 41.	(h) 1968 c. 73.
(i) 1969 c. 35.	(j) 1971 c. 41.	(k) 1971 c. 78.	(l) 1972 c. 47.
(m) 1972 c. 70.	(n) 1973 c. 28.		

Savings

7. Nothing effected by this order shall affect—

- (a) section 124 of the Highways Act 1959(a) in its application to a notice served under subsection (1) thereof before 1st April 1974;
- (b) section 115(3) of the General Rate Act 1967 in its application to an application for a rebate under section 49 of that Act in respect of a rebate period commencing before 1st April 1974;
- (c) section 12 of the Road Traffic Regulation Act 1967 in its application to an order made thereunder before 1st April 1974, or section 29 of that Act in its application to the power under subsection (1) thereof in a case where the proposals referred to in that subsection have been approved before the said date;
- (d) section 34(2) and (3) of the Transport Act 1968 in their application to grants in respect of expenditure incurred in connection with the provision, improvement or continuance, before the end of the year 1974-75, of any bus service or ferry service;
- (e) section 7 of the Transport (London) Act 1969 in its application to any limit on expenditure imposed by a notice given by the Secretary of State before 1st April 1975 under subsection (5) of that section; or
- (f) section 117 of the Town and Country Planning Act 1971 in its application to a compulsory purchase order containing a direction for minimum compensation and submitted to the Secretary of State before 1st April 1974.

T. H. Caulcott.

An Under Secretary in the
Department of the Environment.

Signed by authority of the Secretary of State.
4th March 1974.

EXPLANATORY NOTE

(This Note is not part of the Order.)

Section 43(2) of the Local Government Act 1974 provides that the provisions of the Act specified therein shall come into operation on such day as the Secretary of State may by Order made by statutory instrument appoint and that different days may be appointed for different provisions. This Order provides for certain of the provisions specified to come into operation on dates appointed in the Order. The provisions being brought into operation include provisions relating to rating and, also, those with respect to the removal and relaxation of controls affecting certain local authority functions.

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