
STATUTORY INSTRUMENTS

1995 No. 2490

**The Local Government (Wales) Act 1994
(Commencement No. 5) Order 1995**

Citation

1. This Order may be cited as the Local Government (Wales) Act 1994 (Commencement No. 5) Order 1995.

Interpretation

2. In this Order—

“the 1972 Act” means the Local Government Act 1972(1);

“the 1982 Act” means the Local Government Finance Act 1982(2);

“the 1994 Act” means the Local Government (Wales) Act 1994.

Commencement of certain provisions of Part I of the 1994 Act

3.—(1) Subject to paragraphs (2) to (4) the provisions of Part I of, and Schedule 2 to, the 1994 Act which are specified in Schedule 1 to this Order shall come into force on 1st October 1995.

(2) The provisions of section 1(5) of the 1994 Act brought into force by this Order shall have effect only for the interpretation of “local authority” in Part III of the 1982 Act(3).

(3) Until 1st April 1996 “local authority” in Part III of the 1982 Act shall be interpreted as including the district and county councils in Wales created as a result of the 1972 Act, as originally enacted.

(4) The provisions of section 1(8) of the 1994 Act brought into force by this Order shall have effect only for the interpretation of section 65(4) of, and paragraph 2 of Schedule 7 to, the Environment Act 1995(4).

Commencement of certain provisions of Part II of the 1994 Act

4.—(1) Subject to paragraphs (2) and (3) the provisions of Part II of, and Schedules 6, 7 and 8 to, the 1994 Act which are specified in Schedule 2 to this Order shall come into force on 1st October 1995.

(2) Until 1st April 1996 the amendments made by paragraph 3(2) of Schedule 8 to the 1994 Act shall have effect only for the purposes of enabling a scheme to be made under section 63 of the Rent Act 1977(5) (schemes for appointment of rent officers) in relation to the new local government structure provided for by the 1994 Act.

(1) 1972 c. 70.

(2) 1982 c. 32.

(3) By virtue of section 36(2) of the 1982 Act, section 270 of the 1972 Act (general interpretation, which includes the definition of “local authority”, is applied for the interpretation of Part III of the 1982 Act (sections 11-36).

(4) 1995 c. 25; by virtue of section 79(1) of that Act “principal area” has the same meaning as in the 1972 Act.

(5) 1977 c. 42.

(3) The provisions of section 62 of the Rent Act 1977 as in force immediately before the commencement of paragraph 3(2) of Schedule 8 to the 1994 Act shall continue to have effect in relation to the provision of the rent officer service in Wales until 1st April 1996.

Commencement of certain provisions of Part VII of the 1994 Act

5.—(1) Subject to paragraphs (2) to (6) the provisions of Part VII of, and Schedules 15, 16 and 18 to, the 1994 Act which are specified in Schedule 3 to this Order shall come into force on 1st October 1995.

(2) Until 1st April 1996 the amendments made by paragraph 12 of Schedule 16 to the 1994 Act shall have effect only for the purposes of enabling a local scheme to be made under section 14 of the Registration Service Act 1953⁽⁶⁾ (preparation, submission and approval of local schemes) in relation to the new local government structure provided for by the 1994 Act.

(3) The provisions of section 21 of the Registration Service Act 1953 as in force immediately before the commencement of paragraph 12 of Schedule 16 to the 1994 Act shall continue to have effect in relation to the provision of the registration service in Wales until 1st April 1996.

(4) Until 1st April 1996 the amendments made by paragraph 26 of Schedule 16 shall have effect only for the purposes of enabling an order to be made under section 1 of the Sea Fisheries Regulation Act 1966⁽⁷⁾ (sea fisheries districts and committees) in relation to the new local government structure provided for by the 1994 Act.

(5) The provision of the Sea Fisheries Regulation Act 1966 as in force immediately before the commencement of paragraph 26 of Schedule 16 to the 1994 Act shall continue to have effect in respect of any existing sea fisheries district and local fisheries committee in Wales until 1st April 1996.

(6) The amendments made by paragraph 98 of Schedule 16 to the 1994 Act shall have effect only in relation to any financial year beginning on or after 1st April 1996.

Signed by authority of the Secretary of State for Wales

Gwilym Jones
Parliamentary Under Secretary of State Welsh
Office

26th September 1995

⁽⁶⁾ 1953 c. 37.

⁽⁷⁾ 1966 c. 38.