



Local Government Act 1888

1888 CHAPTER 41 51 and 52 Vict

PART I

COUNTY COUNCILS

1, 2.^{F1}

Textual Amendments

F1 Ss. 1, 2 repealed by [Local Government Act 1933 \(c. 51\)](#), [Sch. 11 Pt. III](#) and [London Government Act 1939 \(c. 40\)](#), [Sch. 8](#)

3^{F2}

Textual Amendments

F2 [S. 3](#) repealed by [S.I. 1974/1351](#)

4^{F3}

Textual Amendments

F3 [S. 4](#) repealed by [Local Government Act 1933 \(c. 51\)](#), [Sch. 11 Pt. III](#) and [London Government Act 1939 \(c. 40\)](#), [Sch. 8](#)

5^{F4}

Changes to legislation: There are currently no known outstanding effects for the Local Government Act 1888, Part I. (See end of Document for details)

Textual Amendments

F4 S. 5 repealed by [Local Government Act 1972 \(c. 70\)](#), [Sch. 30](#)

6 **F5**

Textual Amendments

F5 S. 6 repealed by [Highways Act 1959 \(c. 25\)](#), s. 312(2), [Sch. 25](#) and [London Government Act 1963 \(c. 33\)](#), s. 16(2), [Sch. 6 para. 70](#)

7 **F6**

Textual Amendments

F6 S. 7 repealed by [Local Government Act 1972 \(c. 70\)](#), [Sch. 30](#)

8 **F7**

Textual Amendments

F7 S. 8 repealed by [Courts Act 1971 \(c. 23\)](#), [Sch. 11 Pt. IV](#)

9 **F8**

Textual Amendments

F8 S. 9 repealed by [Police Act 1964 \(c. 48\)](#), [Sch. 10 Pt. I](#)

10 **F9**

Textual Amendments

F9 S. 10 repealed by [Local Government Act 1933 \(c. 51\)](#), [Sch. 11 Pt. III](#) and [London Government Act 1939 \(c. 40\)](#), [Sch. 8](#)

11 **F10**

Changes to legislation: There are currently no known outstanding effects for the Local Government Act 1888, Part I. (See end of Document for details)

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Textual Amendments

F10 S. 11 repealed by Local Government Act (c. 25), (c. 17), Sch. 12 Pt. III, Highways Act 1959 (c. 25), s. 312(2), **Sch. 25**, London Government Act 1963 (c. 33), s. 16(2), **Sch. 6 para. 70** and Local Government Act 1972 (c. 70), **Sch. 30**

12, 13. **F11**

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Textual Amendments

F11 Ss. 12, 13 repealed by Highways Act 1959 (c. 25), s. 312(2), **Sch. 25**

14 **F12**

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Textual Amendments

F12 S. 14 repealed by Rivers (Prevention of Pollution) Act 1951 (c. 64), **Sch. 3**

15 **F13**

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Textual Amendments

F13 S. 15 repealed by Local Government Act 1933 (c. 51), **Sch. 11 Pt. III** and London Government Act 1939 (c. 40), **Sch. 8**

16 **F14**

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Textual Amendments

F14 S. 16 repealed by Local Government Act 1933 (c. 51), **Sch. 11 Pt. III** and London County Council (General Powers) Act 1934 (c. xl), s. 76, **Sch.**

17, 18. **F15**

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Textual Amendments

F15 Ss. 17, 18 repealed by Local Government Act 1933 (c. 51), **Sch. 11 Pt. III** and Public Health (London) Act 1936 (c. 50), **Sch. 7**

19 **F16**

Changes to legislation: There are currently no known outstanding effects for the Local Government Act 1888, Part I. (See end of Document for details)

Textual Amendments

- F16** S. 19 repealed by [Public Health Act 1936 \(c. 49\)](#), s. 346, **Sch. 3 Pt. V**, [London Government Act 1963 \(c. 33\)](#), **Sch. 18 Pt. II**

Financial Relations between Exchequer and County, and Contributions by County for Costs of Union Officers

20 Payment to county council of proceeds of duties on local taxation licences.

- (1)^{F17}
- (3) It shall be lawful for Her Majesty the Queen from time to time by Order in Council made on the recommendation of the Treasury to transfer to county councils as from the date specified in the Order the power to levy the duties on all or any of the local taxation licences, and after such date every county council and their officers shall (subject nevertheless to any exceptions and modifications contained in the Order) have within their county, for the purpose of levying the duties transferred, the same powers, duties, and liabilities as the Commissioners of Inland Revenue and their officers have with respect to the duties transferred, and to the issue and cancellation of licences on which the duties are imposed, and other matters under the Acts relating to those duties and licences, and all enactments relating to those duties and licences, and to punishments and penalties connected therewith, shall apply accordingly.
- (4) Provided as follows:—
- (i) All penalties and forfeitures recovered by a county council in pursuance of this section shall, instead of being paid to the Exchequer, be paid to the county fund, and carried to the same account as the duties.
 - (ii)^{F18}
 - (iii) Nothing in this section shall confer on the county council any special privileges of the Crown as respects legal proceedings.
- (5) On a transfer under this section of the power to levy the duties on any licence—
- (a) the county council shall provide for issuing, in different parts of their county, their licence for the same purpose, so as to enable persons to obtain it near their residences; and
 - (b) if such licence has operation in any place in the United Kingdom outside the county in which it is issued, the licence of a county council for the same purpose shall continue to have the like operation outside the county in such place.

Textual Amendments

- F17** S. 20(1)(2) repealed by [Local Government Act 1929 \(c. 17\)](#), **Sch. 12 Pt. VI**
- F18** S. 20(4)(ii) repealed by [Customs and Excise Act 1952 \(c. 44\)](#), **Sch. 12 Pt. I**

Modifications etc. (not altering text)

- C1** S. 20 amended by [Finance Act 1908 \(c. 16\)](#), s. 6
- C2** In the repealed s. 20(1) “local taxation licences”, referred to in s. 20(3), were defined as meaning the licences specified in Sch. 1 to the Act
- C3** S. 20(3) extended by [London Government Act 1963 \(c. 33\)](#), s. 83, **Sch. 17 para. 2**

Changes to legislation: There are currently no known outstanding effects for the Local Government Act 1888, Part I. (See end of Document for details)

C4 Functions of Commissioners of Inland Revenue as to excise duties now exercisable by Commissioners of Customs and Excise: S.R. & O. 1909/197 (Rev. V, p. 465: 1909, p. 239)

21–27 ^{F19}

Textual Amendments

F19 Ss. 21–27 repealed by [Local Government Act 1929 \(c. 17\)](#), s. 134, [Sch. 12 Pt. VI](#)

General Provisions as to Transfer

28 General provisions as to powers transferred to county council.

- (1) The county council shall, as respects the business by this Act transferred to them from quarter sessions or the justices out of sessions, be subject to the provisions and limitations in this Act specified, but, save as aforesaid, shall have and be subject to all the powers, duties, and liabilities, which the quarter sessions, or any committee thereof, or any justice or justices had or were subject to in respect of the business so transferred.
- (2) ^{F20} the county council may also, without prejudice to any other power whether to appoint committees or otherwise, delegate to the justices of the [^{F21}peace [^{F22}acting in a local justice] area consisting of or including the whole or part of the county] any power or duty transferred by this Act to the county council in respect of ^{F23} the execution as local authority. ^{F24} of the Act relating to contagious diseases of animals.
- (3) Provided that the county council shall not under this section delegate any power of raising money by rate or loan.

Textual Amendments

- F20** Words repealed by [Local Government Act 1933 \(c. 51\)](#), [Sch. 11 Pt. III](#), [London County Council \(General Powers\) Act 1934 \(c. xl\)](#), s. 76, [Sch.](#) and [London Government Act 1963 \(c. 33\)](#), [Sch. 18 Pt. II](#)
- F21** Words in s. 28(2) substituted (27.9.1999) by 1999 c. 22, ss. 76(2), 108(3)(c), [Sch. 10 para. 13](#) (with s. 107, [Sch. 14 para. 7\(2\)](#))
- F22** Words in s. 28(2) substituted (1.4.2005) by [Courts Act 2003 \(c. 39\)](#), s. 110(1), [Sch. 8 para. 64](#); S.I. 2005/910, art. 3(y)
- F23** Words repealed by [Theatre Act 1968 \(c. 54\)](#), [Sch. 3](#) and [Local Government Act 1972 \(c. 70\)](#), [Sch. 30](#)
- F24** Words repealed by [Local Government Act 1972 \(c. 70\)](#), [Sch. 30](#)

29 ^{F25}

Changes to legislation: There are currently no known outstanding effects for the Local Government Act 1888, Part I. (See end of Document for details)

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Textual Amendments

F25 S. 29 repealed by [Local Government Act 1958 \(c. 55\)](#), s. 67, **Sch. 9 Pt. V**

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Textual Amendments

F26 S. 30 repealed by [Police Act 1964 \(c. 48\)](#), **Sch. 10 Pt. I**

Changes to legislation:

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