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STATUTORY INSTRUMENTS

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**1995 No. 3198 (C.73)**

**LOCAL GOVERNMENT, ENGLAND AND WALES**

**The Local Government (Wales) Act 1994  
(Commencement No. 6) Order 1995**

*Made - - - - 7th December 1995*

The Secretary of State for Wales, in exercise of the powers conferred upon him by sections 63(5) and 66(3) of the Local Government (Wales) Act 1994(1), hereby makes the following Order:—

**Citation**

1. This Order may be cited as the Local Government (Wales) Act 1994 (Commencement No. 6) Order 1995.

**Interpretation**

2. In this Order “the 1994 Act” means the Local Government (Wales) Act 1994.

**Commencement of certain provisions of Part I of the 1994 Act**

3. 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 April 1996.

**Commencement of certain provisions of Part II of the 1994 Act**

4. The provisions of Part II of, and Schedules 4 and 5 to, the 1994 Act which are specified in Schedule 2 to this Order shall come into force on 1st April 1996.

**Commencement of certain provisions of Part VI of the 1994 Act**

5. The provisions of Part VI of the 1994 Act which are specified in Schedule 3 to this Order shall come into force on 1st April 1996.

**Commencement of certain provisions of Part VII of the 1994 Act**

6.—(1) Subject to paragraph (2) the provisions of Part VII of, and Schedules 16 and 18 to, the 1994 Act which are specified in Schedule 4 to this Order shall come into force on 1st January 1996.

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(1) 1994 c. 19.

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(2) Until 1st April 1996 the meaning of “local authority” in paragraph 5A(4) of Schedule 2 to the European Parliamentary Elections Act 1978(2) shall, in relation to Wales, be interpreted as including the district and county councils created as a result of the Local Government Act 1972(3), as originally enacted.

(3) The provisions of Part VII of, and Schedule 17 to, the 1994 Act which are specified in Schedule 5 to this Order shall come into force on 1st April 1996.

Signed by authority of the Secretary of State for Wales

*Gwilym Jones*  
Parliamentary Under Secretary of State, Welsh  
Office

7th December 1995

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(2) 1978 c. 10; paragraph 5A was inserted by the Parliamentary Constituencies Act 1986 (c. 56), section 7 and Schedule 3, paragraph 5(6).  
(3) 1972 c. 70.

## SCHEDULE 1

Article 3

PROVISIONS OF PART I OF, AND SCHEDULE 2 TO, THE  
1994 ACT COMING INTO FORCE ON 1ST APRIL 1996

Provision of the 1994 Act	Subject Matter
Section 1(5)	Definition of “local authority”.
Section 1(6)	Definition of “local government area”.
Section 1(8)	Definition of “principal area”.
Section 8	Community meetings and continuation of community councils.
Section 9	Establishment, dissolution and grouping etc. of community councils.
Section 10	Community councils for groups of communities.
Section 11	Community councils for groups of communities: dissolution.
Section 12	Community councils: supplemental provisions.
Section 13	Constitution and powers of community councils.
Section 16	Community having the status of a town.
Paragraphs 1 to 3, 6, 7 and 10 to 12 of Schedule 2, and section 1(3) so far as it relates thereto	Provisions applying to preserved counties.

## SCHEDULE 2

Article 4

PROVISIONS OF PART II OF, AND SCHEDULES 4 AND 5 TO,  
THE 1994 ACT COMING INTO FORCE ON 1ST APRIL 1996

Provision of the 1994 Act	Subject Matter
Section 18(7) and all provisions of Schedule 4	Exercise of planning functions in Wales.
Section 20(1)	Application of Chapter I of the Town and Country Planning Act 1990(4) in relation to Wales.
Section 20(2)	Application of Chapter I of the Town and Country Planning Act 1990 in relation to Wales: transitional provisions.
Section 20(3) and all provisions of Schedule 5	Unitary development plans in Wales.
Section 23(1)	Fire authorities in Wales.

(4) 1990 c. 8.

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## SCHEDULE 3

Article 5

## PROVISIONS OF PART VI OF THE 1994 ACT COMING INTO FORCE ON 1ST APRIL 1996

Provisions of the 1994 Act	Subject Matter
Section 49	Charities.
Section 50	Welsh Church funds.

## SCHEDULE 4

Article 6(1)

PROVISIONS OF PART VII, AND SCHEDULES 16 AND 18 TO,  
THE 1994 ACT COMING INTO FORCE ON 1ST JANUARY 1996

Provision of the 1994 Act	Subject Matter
Paragraph 54(2) of Schedule 16 and section 66(6) so far as it relates thereto	Consequential amendments to the European Parliamentary Elections Act 1978.
In Schedule 18 the repeal to paragraph 5A(4)(a) of Schedule 2 to the European Parliamentary Elections Act 1978; and section 66(8) so far as it relates thereto	Consequential repeal.

## SCHEDULE 5

Article 6(3)

PROVISIONS OF PART VII, AND SCHEDULE 17 TO, THE  
1994 ACT COMING INTO FORCE ON 1ST APRIL 1996

Provision of the 1994 Act	Subject Matter
Section 62	Sheriffs.
Paragraphs 15 and 17 of Schedule 17, and section 66(7) so far as it relates thereto	Transitional Provisions: Planning.

**EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order brings into force various provisions of the Local Government (Wales) Act 1994. Certain provisions come into force on 1st January 1996 (article 6(1) and Schedule 4 provide for this), while the remaining provisions commenced by this Order come into force on 1st April 1996.

**NOTE AS TO EARLIER COMMENCEMENT ORDERS***(This note is not part of the Order)*

The following provisions of the Local Government (Wales) Act 1994 have been brought into force by commencement order made before the date of this Order:

Provision	Date of Commencement	S.I. No.
Section 1(3) (partially) and paragraphs 4 and 5 of Schedule 2	24.10.1994	1994/2790
Section 1(3) (partially) and paragraphs 8 and 9 of Schedule 2	03.04.1995	1995/852
Section 1(3) (partially) and paragraph 13 of Schedule 2	01.10.1995	1995/2490
Section 1(4)	24.10.1994	1994/2790
Section 1(5)(6) and (8) (partially)	24.10.1994	1994/2790
Section 1(5) and (8) (partially)	20.03.1995	1995/546
Section 1(5)(6) and (8) (partially)	03.04.1995	1995/852
Section 1(5) and (8) (partially)	01.10.1995	1995/2490
Sections 2 and 4	20.03.1995	1995/546
Sections 5, 14 and 15	03.04.1995	1995/852
Section 17 (partially)	20.03.1995	1995/546 (amended by 1995/851)
Sections 18(1) to (6) and 19	03.04.1995	1995/852
Section 20(4) (partially) and paragraphs 2 to 4, 11, 12, 21, 23 and 24(1)(b) of Schedule 6	03.04.1995	1995/852
Section 20(4) (partially) and paragraph 24(10)(b) and (17) (a) of Schedule 6	01.10.1995	1995/2490
Section 22(1) (partially) and paragraph 1 of Schedule 7 (partially)	03.04.1995	1995/852
Section 22(1) (partially) and paragraph 27(4) of Schedule 7	01.10.1995	1995/2490
Section 22(2) (partially) and paragraph 3(2) of Schedule 8	01.10.1995	1995/2490
Section 22(4) (partially) and paragraph 14 of Schedule 10	03.04.1995	1995/852

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Provision	Date of Commencement	S.I. No.
Sections 23(2) to (6), 25 to 38 and Schedule 12	03.04.1995	1995/852
Section 41	15.08.1994	1994/2109
Sections 42, 44, 45 and 51	03.04.1995	1995/852
Section 52	15.08.1994	1994/2109
Sections 53 and 56 to 60	03.04.1995	1995/852
Section 65	15.08.1994	1994/2109
Section 66(5) (partially) and paragraphs 1, 7, 8(5), 9(4)(b), 11(2), 12(b), 18, 19 and 57 of Schedule 15	24.10.1994	1994/2790
Section 66(5) (partially) and paragraph 6 of Schedule 15	20.03.1995	1995/546
Section 66(5) (partially) and paragraphs 3, 20, 23, 26 and 55 of Schedule 15	03.04.1995	1995/852
Section 66(5) (partially) and paragraphs 10(1), 52 and 58 to 61 of Schedule 15	01.10.1995	1995/2490
Section 66(6) (partially) and paragraph 68(6), (7) (partially), (8), (9), (13) to (16) and (19) of Schedule 16	20.03.1995	1995/546
Section 66(6) (partially) and paragraphs 57(1) to (5), 82(1) to (4), 82(5) (partially), 84 to 86, 88, 96, 97 and 106 of Schedule 16	03.04.1995	1995/852
Section 66(6) (partially) and paragraphs 12, 26 and 98 of Schedule 16	01.10.1995	1995/2490
Section 66(7) (partially) and paragraphs 7 and 8 of Schedule 17	20.03.1995	1995/546
Section 66(7) (partially) and paragraphs 2, 3, 5, 10 to 14, and 18 to 23 of Schedule 17	03.04.1995	1995/852
Section 66(8) (partially) and in Schedule 18 the repeals to sections 55(5)(a), 59(2) and 72(2) of the Local Government Act 1972	24.10.1994	1994/2790

Provision	Date of Commencement	S.I. No.
Section 66(8) (partially) and in Schedule 18 the repeals to sections 35(1) and 36(3)(b) of the Representation of the People Act 1983	20.03.1995	1995/546
Section 66(8) (partially) and in Schedule 18 the repeals to section 74(3) and (4) of the Local Government Act 1972, sections 4(7) and 20(1) (a) of the Local Government, Planning and Land Act 1980, and sections 1(3) and 2(1) of the Town and Country Planning Act 1990	03.04.1995	1995/852
Section 66(8) (partially) and in Schedule 18 the repeals of Part IV of Schedule 4 and Schedule 10 to the Local Government Act 1972, and the repeals to paragraph 8 of Schedule 8 and paragraph 3(2) (b) and (c) of Schedule 11 to that Act	01.10.1995	1995/2490