



# Litter Act 1983

## 1983 CHAPTER 35

### 6 Provisions supplementary to s. 5.

- (1) A county council [<sup>F1</sup>and a metropolitan district council] may if they think fit make a contribution to any expenditure incurred by a parish council or a community council under section 5 above.
- (2) A parish council or community council may contribute towards—
  - (a) the reasonable expenses incurred by any person in doing anything which the council have power to do under section 5 above, and
  - (b) the expenses incurred by any other parish council or community council in exercising their powers under that section.
- (3) Two or more parish councils or community councils may by agreement combine for the purpose of exercising their powers under section 5 above.
- (4) The Secretary of State may, subject to subsection (5) below, by order repeal or amend any provision—
  - (a) in any local Act passed before 3rd August 1961 (the date on which the Public Health Act 1961 was passed),
  - (b) in any Act passed before that date and confirming a provisional order, or
  - (c) in any order or other instrument made under an Act before that date,where it appears to him that that provision is inconsistent with, or has become unnecessary in consequence of, section 5 above or this section.
- (5) The Secretary of State shall not make an order under subsection (4) above repealing or amending a provision in a local Act the Bill for which was promoted by—
  - (a) a county council, a district council, a London borough council, the Common Council of the City of London, the Sub-Treasurer of the Inner Temple, the Under Treasurer of the Middle Temple or the Council of the Isles of Scilly, or
  - (b) any authority, board, commissioners, trustees or other body whose functions under the local Act have become exercisable by such a council, Sub-Treasurer or Under Treasurer as aforesaid,except on the application of that council, Sub-Treasurer or Under Treasurer.

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*Changes to legislation: There are currently no known outstanding effects for the Litter Act 1983, Section 6. (See end of Document for details)*

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- (6) Where—
- (a) a resolution under subsection (3) of section 147 of the <sup>M1</sup>Local Government Act 1972 (resolution declaring expenses to be special expenses chargeable only on part of a district council's area), or
  - (b) an order under section 190(3) of the <sup>M2</sup>Local Government Act 1933 that, by virtue of subsection (6) of the said section 147, continues to have effect as if it were such a resolution,
- contains, or has effect as if it included, a reference to section 51 of the <sup>M3</sup>Public Health Act 1961 (litter bins), that reference shall have effect as if it were a reference to the said section 51 or section 5 above.
- (7) Sections 283 to 285, 288, 304, 305, 341 and 343 of the Public Health Act 1936 apply in relation to section 5 above, this section and Schedule 1 to this Act as if section 5, this section and that Schedule were contained in the said Act of 1936.
- (8) In section 5 above, “litter authority” includes the Council of the Isles of Scilly but not a joint body <sup>F2</sup>. . . .

#### Textual Amendments

- F1** Words inserted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), s. 9, **Sch. 6 para. 5(2)**
- F2** Words in s. 6(8) repealed (1.4.1997) by [1995 c. 25, s. 120\(3\)](#), **Sch. 24** (with ss. 7(6), 115, 117); [S.I. 1996/2560, art. 2](#), **Sch.**

#### Modifications etc. (not altering text)

- C1** [Ss. 5, 6](#): power to transfer functions conferred by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), **ss. 10(4), 106(2)**

#### Marginal Citations

- M1** 1972 c. 70.
- M2** 1933 c. 51.
- M3** 1961 c. 64.

**Changes to legislation:**

There are currently no known outstanding effects for the Litter Act 1983, Section 6.