



# Local Government Act 1992

## 1992 CHAPTER 19

### PART III

#### GENERAL

#### 28 Interpretation.

(1) In this Act, except where the context otherwise requires—

“the 1972 Act” means the <sup>M1</sup>Local Government Act 1972;

“the 1973 Act” means the <sup>M2</sup>Local Government (Scotland) Act 1973;

“the 1980 Act” means the <sup>M3</sup>Local Government, Planning and Land Act 1980;

<sup>F1</sup>“the 1982 Act” means the <sup>M4</sup>Local Government Finance Act 1982;

“the 1988 Act” means the <sup>M5</sup>Local Government Act 1988;

<sup>F1</sup>“the Audit Commission” means the Audit Commission for Local Authorities and the National Health Service in England and Wales;

<sup>F1</sup>“auditor” means any person who, within the meaning of Part III of the 1982 Act, is an auditor of the accounts of a body with which the Audit Commission is concerned;

“contravention” includes a failure to comply;

“financial year” means the twelve months ending with 31st March;

“local authority” means a principal council, the Common Council of the City of London, the sub-treasurer of the Inner Temple, the under treasurer of the Middle Temple or a parish council;

“local government area” means a principal area, and any of the following as for the time being constituted, that is to say, any metropolitan county, Greater London, the City of London, the Inner Temple, the Middle Temple or a parish;

“the Local Government Commission” means the Local Government Commission for England;

“modifications” includes additions, alterations and omissions;

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“principal area” means any of the following as for the time being constituted, that is to say, a non-metropolitan county in England, a district in England or a London borough;

“principal council” means a council elected for a principal area;

“public body” includes any local authority, any joint authority or residuary body established under Part II of this Act and any other body which is a public body for the purposes of Part IV of the 1972 Act;

“the Scottish Accounts Commission” means the Commission for Local Authority Accounts in Scotland or, in relation to any time after the coming into force of paragraph 3 of Schedule 7 to the <sup>M6</sup>National Health Service and Community Care Act 1990, that Commission as re-named by that paragraph;

“staff” includes officers and employees.

[<sup>F1</sup>(2) References in this Act to a body with which the Audit Commission is concerned are references to any body any of whose accounts are required to be audited under Part III of the 1982 Act (including the Common Council of the City of London).]

(3) References in this Act (however framed) to a body affected by any recommendations, changes or order under Part II of this Act include references to a body whose area or functions are so affected or to a body which is to cease to exist in pursuance of the recommendations, changes or order and, in relation to an order, include a body which is established under or in consequence of the order.

#### Textual Amendments

**F1** Definitions in s. 28 repealed (E.W.) (11.9.1998) by 1998 c. 18, ss. 54(3), 55(2), [Sch. 5](#)

#### Marginal Citations

**M1** 1972 c. 70.

**M2** 1973 c. 65.

**M3** 1980 c. 65.

**M4** 1982 c. 32.

**M5** 1988 c. 9.

**M6** 1990 c. 19.

## 29 Consequential amendment, repeals and saving.

<sup>F2</sup>(1) Part III of the 1982 Act and Part VII of the 1973 Act shall each have effect as if any functions under this Act of an auditor, of the Audit Commission, of the Controller of Audit or of the Scottish Accounts Commission were included in any references in that Part to the functions under that Part of an auditor, of the Controller of Audit or of the Commission in question.

(2) The enactments mentioned in Schedule 4 to this Act are hereby repealed to the extent specified in the third column of that Schedule.

(3) Without prejudice to sections 16 and 17 of the <sup>M7</sup>Interpretation Act 1978 (effect of repeals), the repeal by this Act of any provision contained in Part IV of the 1972 Act shall not affect the continuing validity, after the coming into force of that repeal, of any provision contained in any order made under that Part.

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#### Textual Amendments

**F2** S. 29(1) repealed (E.W.) (11.9.1998) by 1998 c. 18, ss. 54(3), 55(2), **Sch. 5**

#### Marginal Citations

**M7** 1978 c. 30.

### 30 Short title, commencement and extent.

(1) This Act may be cited as the Local Government Act 1992.

<sup>F3</sup>(2) Sections 1 to 7 above and, in Part I of Schedule 4 to this Act, the repeal in the 1982 Act shall come into force at the end of the period of two months beginning with the day on which this Act is passed.

(3) The following provisions of this Act, that is to say—

- (a) sections 8 to 11, Schedule 1 and, in Part I of Schedule 4, the repeals in the 1980 Act and the 1988 Act; and
- (b) section 24, Schedule 3 and Part II of Schedule 4,

shall come into force on such day as the Secretary of State may by order made by statutory instrument appoint; and different days may be appointed under this subsection for different provisions and for different purposes.

(4) The following provisions of this Act do not extend to Scotland, that is to say—

- (a) sections 4 and 7;
- (b) Part II, apart from the amendments contained in paragraphs 11 and 12 of Schedule 2 and in paragraphs 21 and 22 of Schedule 3; and
- (c) [<sup>F4</sup>Part II of Schedule 4, apart from so much of that Part] as makes a repeal in the <sup>M8</sup>House of Commons Disqualification Act 1975.

(5) Except for the purposes of—

- (a) the amendments contained in paragraphs 11 and 12 of Schedule 2 and in paragraph 21 of Schedule 3; and
- (b) so much of Part II of Schedule 4 as makes a repeal in the House of Commons Disqualification Act 1975,

this Act does not extend to Northern Ireland.

#### Subordinate Legislation Made

**P1** S. 30(3): s. 30(3) power partly exercised (6.10.1992) (14.12.1992): 31.10.1992 appointed for specified provisions by S.I. 1992/2371, **art. 2**: different dates appointed for specified provisions by S.I. 1992/3241, **arts. 2-4**

S. 30(3) power partly exercised (1.6.1994): 13.6.1994 appointed for specified provisions by S.I. 1994/1445, **art. 2**

#### Textual Amendments

**F3** S. 30(2) repealed (E.W.) (11.9.1998) by 1998 c. 18, ss. 54(3), 55(2), **Sch. 5**

**F4** Words in s. 30(4)(c) substituted (S.) (4.1.1995) by 1994 c. 39, s. 180(1), **Sch. 13 para. 177**; S.I. 1995/2850, **art. 3(c)(xiv)**

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**Marginal Citations**

**M8** 1975 c. 24.

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**Changes to legislation:**

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