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## SCHEDULES

### SCHEDULE 9 **E+W+S**

Section 22(3).

#### PUBLIC HEALTH

##### *The Celluloid and Cinematograph Film Act 1922 (c. 35)*

- 1 In section 9 of the Celluloid and Cinematograph Film Act 1922 (definitions), in the definition of “local authority”, after “of a county” insert “ or county borough ”.

##### *The Petroleum (Consolidation) Act 1928 (c. 32)*

- 2 In section 2(1)(c) of the Petroleum (Consolidation) Act 1928 (local authorities empowered to grant petroleum-spirit licences outside Greater London), after “county council” insert “ or county borough council ”.

##### *The Public Health Act 1936 (c. 49)*

- 3 (1) In section 1 of the Public Health Act 1936 (local authorities), in paragraph (a) of subsection (1), at the beginning insert “ except in Wales, ” and omit “or community”, and after that paragraph insert—
- “(aa) in Wales, the county council or county borough council as respects all matters, without prejudice, however, to the exercise by a community council of any powers conferred upon such a council.”.
- (2) In subsection (2) of section 1—
- (a) in the definition of “district”, at the end add “ and, in relation to a local authority in Wales, means a county or (as the case may be) county borough ”; and
- (b) in the definition of “local authority”, at the end add “but, in relation to Wales, means the council of a county or county borough”.
- (3) In section 6 of that Act (union of districts, etc.), at the end add—
- “(6) In relation to Wales, the proviso in subsection (2) of this section does not apply and subsection (4) of this section applies as if the words “and also the county council” and “or council” were omitted.”
- (4) In section 267 of that Act (application to ships and boats), after subsection (2) insert—
- “(2A) Subsection (2) of this section does not apply if the point on land which is nearest to the spot where the vessel is lying is in Wales.”
- (5) In section 309 of that Act (expenses of joint boards), at the end add—
- “(6) In subsection (5) of this section, the reference to a county council shall not include a reference to the council of a Welsh county or county borough.”

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*The Rag Flock and Other Filling Materials Act 1951 (c. 63)*

F14 .....

**Annotations:**

**Amendments (Textual)**

F1 Sch. 9 para. 4 repealed (6.1.1997) by S.I. 1996/3097, art. 3(1)(e)

*The Nurses Agencies Act 1957 (c. 16)*

- 5 In section 2 of the Nurses Agencies Act 1957 (licensing of agencies), at the end of subsection (1) add “but, in relation to a county or county borough in Wales, means the council of that county or county borough.”

*The Scrap Metal Dealers Act 1964 (c. 69)*

F26 .....

**Annotations:**

**Amendments (Textual)**

F2 Sch. 9 para. 6 repealed (1.10.2013) by Scrap Metal Dealers Act 2013 (c. 10), ss. 19(1)(b), 23(2); S.I. 2013/1966, art. 3(r) (with art. 5)

*The Riding Establishments Act 1964 (c. 70)*

- 7 In section 6(4) of the Riding Establishments Act 1964 (interpretation), in the definition of “local authority”, after “City of London;” insert “ in Wales means the council of a county or county borough; ”.

*The Fire Precautions Act 1971 (c. 40)*

- 8 In section 43(1) of the Fire Precautions Act 1971 (interpretation), in the definition of “local authority”, in paragraph (a) omit “and Wales” and after that paragraph insert—  
“(aa) as respects Wales, the council of a county or county borough;”.

*The Health and Safety at Work etc. Act 1974 (c. 37)*

- 9 In section 53(1) of the Health and Safety at Work etc. Act 1974 (general interpretation of Part I), in the definition of “local authority”, in paragraph (a) omit “and Wales” and after that paragraph insert—  
“(aa) in relation to Wales, a county council or a county borough council;”.

*The Control of Pollution Act 1974 (c. 40)*

- 10 (1) In section 22 of the Control of Pollution Act 1974 (street cleaning etc), in subsection (4), in the definition of “local authority”, after “City of London” insert “ but, in relation to Wales, means the council of a county or county borough ”.

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- (2) In section 30 of that Act (interpretation etc. of Part I), in subsection (1), after “following subsection” insert “ and to subsection (6) below ”, and at the end add—
- “(6) In the application of this Part of this Act to Wales—
- “collection authority” means a county council or county borough council; and
- “disposal authority” means a county council or county borough council.”
- (3) In section 73(1) of that Act (interpretation of Part III), in paragraph (a) of the definition of “local authority” omit “and Wales” and after “Middle Temple;” insert—
- “(aa) in Wales, the council of a county or a county borough;”.
- (4) In section 98 of that Act (interpretation of Part V), in paragraph (a) of the definition of “relevant authority” omit “and Wales” and at the end of that paragraph insert—
- “(aa) in Wales, the Secretary of State, a county council or a county borough council and, for the purposes of sections 91 to 93 of this Act, a sewerage undertaker; and”.
- (5) In section 105(1) of that Act (general interpretation), after “county” insert, “county borough”.

*The Refuse Disposal (Amenity) Act 1978 (c. 3)*

- 11 In section 11(1) of the Refuse Disposal (Amenity) Act 1978 (interpretation), in paragraph (c) of the definition of “local authority”, for “district council” substitute “ county council or county borough council ”.

*The Litter Act 1983 (c. 35)*

- 12 The provisions of section 10 of the Litter Act 1983 (interpretation) shall be subsection (1) of that section, and at the end of that section add—
- “(2) In the application of this Act in relation to Wales, any reference to a county shall be read as including a reference to a county borough and any reference to a county council shall be read as including a reference to a county borough council.”

*The Public Health (Control of Disease) Act 1984 (c. 22)*

- 13 (1) In section 1 of the Public Health (Control of Disease) Act 1984 (authorities administering the Act), in subsection (1), after paragraph (a) insert—
- “(aa) in Wales, a county council or county borough council;”;
- and in subsection (4)(c), after “county councils” insert “ or county borough councils ”.
- (2) In section 13 of that Act (regulations for control of certain diseases), in subsection (4) (a), after “county councils,” insert “ county borough councils, ”.
- (3) In section 53 of that Act (interpretation of Part IV), in the definition of “canal”, after “county” insert “or county borough”.

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- (4) In section 64 of that Act (restriction on right to prosecute), in subsection (2)(a), after “district council” insert “Welsh county council, county borough council”.
- (5) In section 74 of that Act (general interpretation), in the definition of “district”, at the end add “and, in relation to a local authority in Wales, means a county or county borough”.

*The Food Act 1984 (c. 30)*

- 14 In section 61 of the Food Act 1984 (interpretation for Part III), in the definition of “local authority”, after “parish” insert “ council but, in relation to Wales, means a county council, county borough council ”.

*The Building Act 1984 (c. 55)*

- 15 (1) In section 18 of the Building Act 1984 (building over sewer etc.), after subsection (2) insert—
  - “(2A) In subsection (2) above, the reference to the council of the district or borough shall be read, in relation to Wales, as a reference to the council of the county or county borough.”
- (2) In section 87 of that Act (application of provisions to Crown property), after subsection (2) insert—
  - “(2A) Subsection (2) above shall apply in relation to property in Wales as if—
    - (a) in paragraph (a) the reference to a county included a reference to a county borough; and
    - (b) paragraph (b) were omitted.”
- (3) In section 126 of that Act (general interpretation), in the definition of “local authority”, after “Isles of Scilly” insert “ but, in relation to Wales, means the council of a county or county borough; ”.

*The Food Safety Act 1990 (c. 16)*

- 16 (1) In section 5 of the Food Safety Act 1990 (definition of food authority), in subsection (1) omit “and Wales”, and after that subsection insert—
  - “(1A) Subject to subsection (3)(a) and (b) below, the food authorities in Wales are, as respects each county or county borough, the council of that county or county borough.”
- (2) In section 27(5) of that Act (appointment of public analysts), after “district” insert “ in England ”.

*The Environmental Protection Act 1990 (c. 43)*

- <sup>F3</sup>17 (1) In section 4(11) of the Environmental Protection Act 1990 (which defines “local authority” for the purposes of Part I), <sup>F4</sup> . . . after “Isles of Scilly;” insert—
  - “(bb) in Wales, a county council or county borough council;”.
- (2) In section 30 of that Act (authorities for purposes of Part II), for [<sup>F5</sup>subsection (2) (f)] substitute—

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- “(f) for any county or county borough in Wales, the council of the county or county borough;”.
- (3) In subsection (3) of section 30, in paragraph (a) omit “and Wales” and after paragraph (b) insert—
- “(bb) for any county or county borough in Wales, the council of the county or county borough;”.
- <sup>F6</sup>(4) .....
- (5) In section 79(7) of that Act (miscellaneous definitions for purposes of Part III), in paragraph (b) of the definition of “local authority”, at the beginning insert “ in England ” and after “council;” insert—
- “(bb) in Wales, a county council or county borough council;”.
- (6) In section 86 of that Act (preliminary provisions relating to litter), in subsection (2), after paragraph (a) insert—
- “(aa) a county borough council;”.
- (7) In subsection (9)(b) of section 86, at the beginning insert “in England” and after “district;” insert—
- “(bb) in Wales, the council of the county or county borough;”.
- (8) In section 88 of that Act (fixed penalty notices for leaving litter), in subsection (9)—
- (a) in paragraph (a), for “a county” substitute “ an English county ”; and
- (b) in paragraph (b), immediately before “county council” insert “ English ”.
- (9) In that Act, in each of—
- (a) section 90(3) (litter control areas),
- (b) section 92(1) (summary proceedings by litter authorities), and
- (c) section 95(1) (public registers),
- for “a” immediately before “county council” substitute “ an English ”, and immediately before each of “regional” and “joint” insert “ a ”.
- (10) In section 93(1) of that Act (street litter control notices), for “a” immediately before “county council” substitute “ an English ”, and immediately before “regional” insert “ a ”.
- (11) In section 99(5) of that Act (provisions relating to abandoned trolleys), in paragraph (d), after “Isles of Scilly;” insert—
- “(dd) in Wales, the council of a county or county borough;”.
- (12) In section 143 of that Act (public registers of land which may be contaminated), in subsection (6), in paragraph (b) of the definition of “local authority”, omit “and Wales” and after “council;” insert—
- “(bb) in Wales, a county council or county borough council;”.
- (13) In section 149 of that Act (seizure of stray dogs), in subsection (11), in the definition of “local authority” omit “and Wales” and after “Isles of Scilly” insert “ in relation to Wales, means a county council or a county borough council ”.

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#### Annotations:

##### Amendments (Textual)

- F3** Sch. 9 para. 17 partly in force; Sch. 9 para. 17 not in force at Royal Assent see s. 66; Sch. 9 para. 17(1) in force for certain purposes, Sch. 9 para. 17(2)(3)(5)-(13) in force at 1.4.1996 by S.I. 1996/396, art. 3, Sch. 1
- F4** Words in Sch. 9 para. 17(1) repealed (19.11.1998) by 1998 c. 43, s. 1(1), Sch. 1 Pt. X Group 5
- F5** Words in Sch. 9 para. 17(2) substituted (1.4.1996) by 1995 c. 25, s. 120, Sch. 22 para. 231 (with ss. 7(6), 115, 117); S.I. 1996/186, art. 3
- F6** Sch. 9 para. 17(4) repealed (1.4.1996) by 1995 c. 25, s. 120(3), Sch. 24 (with ss. 7(6), 115, 117); S.I. 1996/186, art. 3(xxxv)

#### *The Clean Air Act 1993 (c. 11)*

- 18 In section 64(1) of the Clean Air Act 1993 (general provisions as to interpretation) in the definition of “local authority”, in paragraph (a) omit “and Wales” and after “Middle Temple” insert—
- “(aa) in Wales, the council of a county or county borough.”

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**Changes and effects yet to be applied to :**

- Sch. 9 para. 17(12) repealed by 1995 c. 25 Sch. 24
- Sch. 9 para. 17(1) repealed by 1999 c. 24 Sch. 3
- Sch. 9 para. 5 repealed by 2000 c. 14 Sch. 6