Local Government (Wales) Act 1994

1994 CHAPTER 19

PART VI

TRANSITIONAL PROVISIONS

58 Modification etc. of local Acts and instruments

(1) This section applies where any local statutory provision ("the relevant provision") is—

(a) continued in force in any area by section 57, or

(b) amended or modified in its application to any area by an order under section 54 or 55 (a "modifying order").

(2) The Secretary of State may by order or (as the case may be) the modifying order may—

(a) extend the relevant provision throughout the new principal area in which it is continued in force;

(b) provide that the relevant provision as so continued, amended, modified or extended shall have effect in that area to the exclusion of any enactment for corresponding purposes, including any enactment contained in or applied by this Act;

(c) make such modifications of any such enactment as will secure that the enactment and the relevant provision will operate harmoniously in that area;

(d) repeal or revoke any local statutory provision to which this section applies and which appears to the Minister to have become spent, obsolete or unnecessary or to have been substantially superseded by any enactment or instrument which applies or may be applied to the area, persons or things to which or to whom the relevant provision applies;

(e) transfer to any authority appearing to the Minister to be appropriate any functions of an old authority under any local statutory provision to which this section applies which are not to become functions of some other authority under any provision of this Act (except section 54, 55, 57 or this section) or under any other instrument made under this Act;

(f) without prejudice to paragraph (e), make such modifications of any local statutory provision to which this section applies in its application to any new local government area as appear to the Minister to be expedient.

(3) An order under this section which extends the area for which any local statutory provision is in force shall be provisional only.

(4) In this section "the Minister" means—

(a) in relation to an order made by the Secretary of State under subsection (2), the Secretary of State; and

(b) in relation to a modifying order containing provision made by virtue of subsection (2) of this section, the Minister making that order.