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SCHEDULES

FOURTEENTH SCHEDULE

FURTHER SAVINGS AND TRANSITIONAL PROVISIONS

PART I

GENERAL PROVISIONS

- 1 (1) In so far as any order, regulation, rule, development plan or amendment of a development plan, application, objection, representation, determination, decision, reference, appeal, declaration, agreement, arrangement, claim or apportionment made, payment made or recovered, report or proposal submitted, list or amendment of a list compiled or made, permission granted, consent, approval or authorisation given, certificate, information or direction issued or given, notice or copy served, published or registered, inquiry held, delegation effected, register kept, requirement imposed, or other thing done, under an enactment repealed by this Act could have been made, recovered, submitted, compiled, granted, issued, given, served, published, registered, held, effected, kept, imposed or done under a corresponding provision of this Act, it shall not be invalidated by the repeal, but shall have effect as if made, recovered, submitted, compiled, granted, issued, given, served, published, registered, held, effected, kept, imposed or done under that corresponding provision.
- (2) In relation to any permission which (whether by virtue of an enactment repealed by this Act or otherwise) was deemed to be granted under an enactment repealed by this Act, the preceding sub-paragraph shall have effect as if any reference in that sub-paragraph to permission granted included a reference to permission deemed to be granted.
- (3) Sub-paragraph (1) of this paragraph shall not apply to any regulations or order revoked as from the commencement of this Act in the exercise of the powers conferred by section two hundred and seventeen.
- 2 Where any Act (whether passed before, or in the same Session as, this Act) or any document refers, either expressly or by implication, to an enactment repealed by this Act, the reference shall, except where the context otherwise requires, be construed as, or as including, a reference to the corresponding provision of this Act.
- 3 Where a period of time specified in an enactment repealed by this Act is current at the commencement of this Act, this Act shall have effect as if the corresponding provision thereof had been in force when that period began to run.
- 4 Without prejudice to paragraph 1 of this Schedule, any reference in this Act (whether express or implied) to a thing done or required or authorised to be done, or omitted to be done, or to an event which has occurred, under or for the purposes of or by reference to or in contravention of any provisions of this Act shall, except where the context otherwise requires, be construed as including a reference to the corresponding thing done or required or authorised to be done, or omitted, or to the

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corresponding event which occurred, as the case may be, under or for the purposes of or by reference to or in contravention of the corresponding provisions of the enactments repealed by this Act.

5 (1) Nothing in this Act shall affect the enactments repealed thereby in their operation in relation to offences committed before the commencement of this Act.

(2) Where an offence, for the continuance of which a penalty was provided, has been committed under an enactment repealed by this Act, proceedings may be taken under this Act in respect of the continuance of the offence after the commencement of this Act, in the same manner as if the offence had been committed under the corresponding provision of this Act.

6 (1) The repeal shall not affect any right to, or claim for, or any liability in respect of, any payment under an enactment to which this paragraph applies ; and any such right, claim or liability shall have effect and may be enforced, and moneys in respect of any such payment shall be applicable or may be raised, in accordance with the provisions of the enactment in question (including the provisions of any other enactment which, immediately before the commencement of this Act, had effect for the purposes of that enactment) as if this Act had not been passed, and any direction or proceedings relating thereto may be given, brought or continued accordingly.

(2) This paragraph applies to the following enactments, that is to say.—

- (a) Parts I and V of the Act of 1954 ;
- (b) subsections (1) to (5) of section fifty-two of that Act;
- (c) the scheme made under section fifty-nine of the Act of 1947 ;
- (d) Part VII of the Act of 1947;
- (e) any other enactment which (if contained in an Act) is not repealed by, and re-enacted (with or without modifications) in, this Act, or (if not contained in an Act) has effect otherwise than by virtue of an enactment so repealed and re-enacted.

(3) Without prejudice to the preceding provisions of this paragraph, any proceedings relating to any such claim as is mentioned in subsection (1) of section eighty-nine may be brought or continued, and shall be determined in accordance with the relevant provisions (that is to say, the provisions of the Act of 1947 and of the First Schedule to the Act of 1954 and any other enactment having effect for the purposes thereof) as if this Act had not been passed.

(4) Sub-paragraph (1) of this paragraph shall have effect in relation to any such right, claim or liability as is therein mentioned notwithstanding that, immediately before the commencement of this Act, the right, claim or liability had not yet accrued or been made or become enforceable, as the case may be:

Provided that, in relation to any such claim which had not been made before the commencement of this Act, so much of that sub-paragraph as provides that the claim shall have effect in accordance with the provisions therein mentioned shall be construed as providing that the claim may be made in accordance with those provisions, and, when made, shall have effect accordingly.

7 (1) Any reference in this Act to an order or scheme made or confirmed under an enactment which is not repealed by, and re-enacted (with or without modifications) in, this Act, shall be construed as a reference to any order or scheme so made or confirmed whether before or after the commencement of this Act.

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- (2) Without prejudice to the preceding sub-paragraph, any reference in this Act to an order or scheme made or confirmed under an enactment contained in the Highways Act, 1959, or under any other such enactment as is mentioned in the preceding sub-paragraph, shall be construed as including a reference to any order or scheme made or confirmed under any corresponding provisions of an enactment repealed by the Highways Act, 1959, or repealed by the other enactment in question, as the case may be.
- 8 In the preceding provisions of this Part of this Schedule, references (however expressed) to things done under enactments repealed by this Act shall be construed as including references to things which, by virtue of paragraph 18 of the Thirteenth Schedule to this Act, are to be treated as if done under the Act of 1947.